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Agenda items 63 and 158
QUESTION OF CYPRUS
ESTABLISHMENT OF AN INTERNATIONAL
CRIMINAL COURT

SECURITY COUNCIL
Fifty-fourth year

Letter dated 30 November 1999 from the Permanent Representative of
Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 30 November 1999, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda items 63 and 158, and of the Security Council.

(Signed) Volkan VURAL
Ambassador
Permanent Representative

Annex

Letter dated 30 November 1999 from Mr. Aytuğ Plümer addressed
to the Secretary-General

I have the honour to refer to the statement made by the Greek Cypriot representative at the 11th meeting of the Sixth Committee on 20 October 1999, under agenda item 158, entitled "Establishment of an international criminal court" (see A/C.6/54/SR.11), in which unfounded allegations were made distorting the true nature of the Cyprus question. Since the Turkish Cypriot side is being denied its right to speak in the said Committee, I am compelled to respond to these allegations in writing.

The Greek Cypriot representative, in a vain attempt to shift the responsibility for the creation and perpetuation of the Cyprus question, tries to portray his administration as the victim of "aggression" and "occupation" in Cyprus. Even a cursory glance at the contemporary history of Cyprus would suffice to identify the real aggressor in Cyprus.

The Greek Cypriot representative refers to the legitimate Turkish intervention in Cyprus as an "invasion". I wish to recall that it was the Greek Cypriot armed onslaught in December 1963 against the Turkish Cypriot people that led to the division on the island 11 years prior to the legitimate Turkish intervention of 1974. For 11 years the Turkish Cypriot people were forced to live in enclaves, deprived of all basic humanitarian needs.

In 1974 Turkey acted in accordance with its rights and obligations under the 1960 Treaty of Guarantee in the wake of a bloody coup d'état instigated by the junta in Greece and its collaborators in Cyprus. As a Guarantor Power, Turkey's presence in Northern Cyprus today remains indispensable for the protection and security of the Turkish Cypriot people, for the maintenance of peace and stability on the island as well as in the region, and for creating an atmosphere conducive to finding a lasting solution.

As regards the so-called "colonization" of Northern Cyprus it should be pointed out that it is the Greek Cypriot side that has always tried to alter the demographic character of Cyprus, not only by introducing thousands of settlers from Greece but also by trying to cleanse Cyprus of its ethnic Turkish population. Between 1963 and 1974, the Greek Cypriots forcibly displaced one fourth of the Turkish Cypriot population and tried to eradicate the Turkish Muslim heritage of Cyprus by destroying mosques, shrines and other places of Muslim worship across the island. Hundreds of Turkish Cypriots fell victim to Greek Cypriot atrocities.

If the Greek Cypriot side is genuinely interested in reconciliation, it should abandon its campaign of false propaganda directed against Turkey and the Turkish Republic of Northern Cyprus especially at a time when the parties have agreed to start proximity talks in order to prepare the ground for meaningful negotiations.

/...

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda items 63 and 158, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus



General Assembly

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Fifty-fourth session
Agenda item 85
Comprehensive Nuclear-Test-Ban Treaty

Letter dated 30 November 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of the statement by the official representative of the Ministry of Foreign Affairs of the Russian Federation of 23 November 1999 on the occasion of the submission by the President of the Russian Federation of the Comprehensive Nuclear-Test-Ban Treaty for ratification in the State Duma (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the General Assembly under agenda item 85.

(Signed) Gennadiy Gatilov
Chargé d'affaires a.i.
Permanent Mission of the Russian Federation
to the United Nations

Annex

Statement by the official representative of the Ministry of Foreign Affairs of the Russian Republic of 23 November 1999

Mr. B. N. Yeltsin, the President of the Russian Federation, submitted for ratification by the State Duma of the Federal Assembly of the Russian Federation the Comprehensive Nuclear-Test-Ban Treaty signed by the Russian Federation on 24 September 1996. It is hoped that the State Duma will give favourable consideration to this question in the very near future.

This action by the President of the Russian Federation once again demonstrated the consistent policy of the Russian leadership aimed at strengthening the nuclear non-proliferation regime, supporting strategic stability in the world and prohibiting the spread and upgrading of nuclear weapons.

In accordance with the commitments which it assumed, the Russian Federation has not allowed nuclear testing since October 1990 and does not intend to resume such testing, provided of course that other nuclear States follow suit.

Moscow is convinced that the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty will be both in the national interests of the Russian Federation and, equally, in the interests of the entire world community.



General Assembly

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Fifty-fourth session

Agenda item 142

**Financing of the International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of International
Humanitarian Law Committed in the Territory of the Former
Yugoslavia since 1991**

Proposed requirements of the International Tribunal for the Former Yugoslavia for 2000

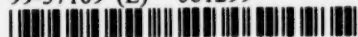
Report of the Advisory Committee on Administrative and Budgetary Questions

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I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered an advanced version of the report of the Secretary-General on the proposed requirements for the year 2000 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/54/518). The Committee also had before it the annual budget performance report of the International Tribunal for the Former Yugoslavia for the year ended 31 December 1998 (A/54/395) and the report of the Secretary-General on conditions of service for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/C.5/54/30). During its consideration of the reports, the Committee met with the Prosecutor and the Registrar of the Tribunal and with representatives of the Secretary-General, who provided additional information. The recommendations of the Advisory Committee on the report of the Secretary-General on conditions of service for judges are contained in its report on the International Criminal Tribunal for Rwanda (A/54/646).

2. The Advisory Committee points out that it had to consider the report of the Secretary-General on the International Tribunal for the Former Yugoslavia under great time pressure and that it has operated under these constraints for a number of years. The Committee stresses the importance of receiving these budget estimates no later than 1 October of the year during which they are considered.

3. The Advisory Committee had to consider the estimates without the benefit of the results of the report of the Expert Group to Conduct a Review of the Effective Operation and Functioning of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/54/634) requested by the General Assembly in its resolution 53/212 of 18 December 1998. The report of the experts was transmitted to the Chairman of the Committee by the Secretary-General on 17 November 1999. In the opinion of the Committee, the report should be submitted to the International Tribunals. The Tribunals should indicate which of the recommendations are being or will be implemented and which cannot be implemented. The Committee will revert to the matter on the basis of those indications at the first part of the fifty-fifth session of the Assembly.

4. In paragraph 23 of its resolution 53/212, the General Assembly decided to revise the level of the 1998 appropriation for the International Tribunal for the Former Yugoslavia to a total amount of \$68,314,500 gross (\$61,941,400 net), which reflected the redeployment of resources based on expenditure forecasts as at 31 August 1998. Expenditures in 1998 amounted to \$65,573,800 gross (\$59,363,300 net), resulting in an unencumbered balance of \$2,740,700 gross (\$2,578,100 net), or approximately 4 per cent of the revised 1998 appropriation (see A/54/395, paras. 5-7). Variances between the revised 1998 appropriation and the expenditures incurred are explained in the performance report (*ibid.*, paras. 7-19). The underexpenditure was mainly due to savings in the use of general temporary assistance, defence counsel fees, supplies and materials and audio-visual equipment. The Advisory Committee recommends that unutilized balances be credited to Member States in such a manner as the General Assembly deems appropriate. The annex to the performance report shows a comparison between workload indicators projected for 1998, as at August 1998, and actual workload indicators for activities implemented in 1998. The Committee recommends that in the future the performance reports clearly show the actual staff on board, by category of personnel, as compared with the authorized staffing for the related period.

5. In its resolution 53/212, the General Assembly also decided to appropriate to the Special Account for the International Tribunal for the Former Yugoslavia a total amount of \$103,437,600 gross (\$94,103,800 net) for 1999. Upon request, the Advisory Committee was provided with expenditure forecasts for 1999, amounting to \$85,890,600, as at November 1999 (based on expenditure data as at 30 September 1999), reflecting a projected unencumbered balance of \$8,213,200, or 8.7 per cent of the 1999 appropriation (see annex I to the present report). Detailed explanations of significant variances between budgeted expenditures and forecast expenditures were also provided to the Committee.

6. Annex VI to the financing report (A/54/518) provides the status of voluntary contributions received, as at 30 September 1999, for the Voluntary Fund set up for the Tribunal. Upon request, the Advisory Committee was provided with updated information. As at 31 October 1999, an amount of \$29,004,320 was received for the period 1994-1999, including \$5,844,792 earmarked for exhumations. Total trust fund expenditures for the period 1994-1999 amount to \$18,223,576, including \$6,448,398 spent on exhumations since 1997. Prior to 1997, expenditures of exhumations were not recorded separately.

7. The Advisory Committee notes that a number of its previous recommendations have been taken into account in the format of the budget for 2000, which have been summarized in annex VII to the report. Annex VII also contains follow-up action taken to implement relevant recommendations of the Office of Internal Oversight Services. In the future, when applicable, the Committee requests that actions taken to implement recommendations of the United Nations Board of Auditors should also be included. With respect to the workload indicators, however, the Committee believes that further efforts should be made to improve their presentation. In various instances performance data described in the narratives of the report are not included in or consistent with the items listed under workload indicators in annex V (e.g., the workload data of the Chambers for the period 1998-1999, as described in paragraph 18 of the report, are not reflected in annex V, and the number of investigations mentioned in paragraph 31 is different from that listed in annex V).

8. The Advisory Committee reiterates its view that there is a need to relate indicators to resource needs. A mere presentation of workload data, especially for a very short time span, is not in itself of much help to the Committee or to the General Assembly in determining resource requirements. The indicators need to be analysed and the result of such analysis presented as the basis to support the resources requested in the budget estimates. In the view of the Committee, this approach would make the indicators more meaningful than they are at present. In a number of instances, increases in resources are requested even though indicators show no marked increases or in some cases decreases in workload (e.g., workload data for the Victims and Witnesses Section and for the Security and Safety Section).

9. The Advisory Committee was informed, upon request, that up to now, 91 individuals have been indicted, 31 accused persons are in custody and one individual is serving sentence.

10. A number of countries, namely Austria, Finland, Italy, Norway and Sweden, have entered into agreements with the Tribunal for the enforcement of sentences. In addition, the Advisory Committee was provided with a detailed analysis of indictments, arrest warrants and detainees, which is also available in a fact-sheet format on the Tribunal's Internet Web page. The Committee notes that since its inception there have been five judgements of the Trial Chambers resulting in eight sentences, one judgement pending and two ongoing ones. The Committee was informed, upon enquiry, that total expenditure for the Tribunal for the period 1993-

1998, with forecasts through November 1999, amounted to approximately \$251 million.

II. Resource requirements for 2000

11. The resources proposed for 2000 under the assessed budget amount to \$110,670,900 gross (\$100,251,100 net), reflecting a resource increase of \$6,147,300 net, or a 6.5 per cent increase over the 1999 appropriation of \$94,103,800 net (A/54/518, table 1). Total extrabudgetary resources for 2000 are estimated at \$5,801,100, as compared with estimates for 1999 of \$3,905,000 (*ibid.*, table 2). Taking into account the estimated unencumbered balances for the years 1998 and 1999 mentioned in paragraphs 4 and 5 above, in annex IX to the financing report it is proposed that an amount of \$99,730,200 gross (\$89,473,000 net) be assessed on Member States for 2000.

12. The Advisory Committee requests that, in the future, the overall resource tables show the total miscellaneous income, including interest income, that may have accrued to the Special Account of the Tribunal, with corresponding explanations in the narratives of the report.

13. As indicated in paragraphs 10 and 39 (b) of the budget report, the proposed increase of \$6,147,300 is driven mainly by increased requirements for general temporary assistance in the Office of the Prosecutor, which includes the conversion of the exhumation projects in Bosnia and Herzegovina (\$1,204,200) and in Kosovo (\$1,770,000) from extrabudgetary resources to the assessed budget; the increased scope and level of investigative activities related to Kosovo and the processing of documents seized under search warrants in Bosnia and Herzegovina and in Kosovo (\$1,128,600); and provision for temporary analysts for the military analysis team and leadership research team (\$676,000).

14. The proposed staffing table for 2000 comprises 882 assessed budget posts (not including 14 judges) and 14 extrabudgetary posts, reflecting an increase of 98 assessed budget posts (46 Professional and 52 General Service) and 14 reclassifications. The Advisory Committee was provided with detailed organization charts of each organ of the Tribunal, identifying proposed new posts, reclassifications and staff redeployments for 2000 (see annex II to the present report).

15. For 2000, 41 additional posts (25 Professional and 16 General Service) are requested for the Office of the Prosecutor and 57 additional posts (21 Professional, 23 General Service and 13 Security Service personnel) are

requested for the Registry. Ten reclassifications are proposed for the Office of the Prosecutor and four for the Registry. As discussed below, for 2000, the Advisory Committee recommends approval of 64 additional posts (24 for the Office of the Prosecutor and 40 for the Registry). The Committee recommends against approval of 17 additional posts in the Office of the Prosecutor and 17 additional posts in the Registry for 2000. In addition, the Committee recommends acceptance of six reclassifications in the Office of the Prosecutor and three in the Registry.

16. Annex I to the financing document (A/54/518) shows the budgetary assumption used to prepare the estimates for 2000. With regard to vacancy factors, the Advisory Committee notes that a factor of 60 per cent for the Professional category and 50 per cent for the General Service level was used for the proposed new posts. For existing posts, rates of 10 per cent and 5 per cent were used for Professional and General Service posts respectively. In annex VII to the report it is indicated that, with regard to the recruitment process, the Tribunal received delegation of authority to classify posts up to the P-4 level on 1 June 1999, thus shortening the recruitment cycle by about three months. The combined vacancy rates for new and existing posts as at 30 September were 11.5 and 8.6 per cent for Professional and General Service staff, respectively. The Committee agrees with the view that the budgetary assumptions used for the budget proposals for 2000 are reasonable in relation to the actual vacancy rates in 1999.

A. Chambers

17. As shown in table 4 of the financing document, the resource requirement for the Chambers for 2000 amounts to \$2,664,700, as compared with \$2,601,400 for 1999. The requirements under the Chambers include \$2,584,500 for salaries and allowances of judges and the provision, at the maintenance level, of \$15,000 for the services of consultants and experts and \$65,200 for travel of the President and judges of the Tribunal (see A/54/518, paras. 25 and 26). The increase in requirements of \$63,300 reflects the increase in pensions for judges, partially offset by a decrease in common costs for judges (see *ibid.*, paras. 23 and 24). For 2000, as for 1999, legal and secretarial support for the Chambers is budgeted under the provisions for the Chambers Legal Support Section of the Registry (see *ibid.*, para. 22).

18. The Advisory Committee notes that, for 2000, the Chambers intends to significantly reduce the amount of time detainees await trial, as well as the length of trials and the appeals process (see *ibid.*, paras. 14 and 20). There has been

a marked increase in the length of detention for the indictees in the Tribunal's Detention Unit, contrary to the Statute's requirement that detained persons be given expeditious trials. In the course of 1998-1999, the number of cases in the Trial Chambers has doubled and the number of individuals awaiting trial has almost tripled (that is, from 7 cases involving 10 accused in 1997 to 14 pending trials involving 29 accused) (see *ibid.*, para. 18). Upon request, the Committee was provided with detailed explanations of the procedural improvements that have been implemented to increase the speed of trials and appeals and improve case management, without undermining principles of due process and fairness.

19. The Advisory Committee is of the view that a mere increase in resources for the Chambers may not significantly alleviate the problems identified above. Further judicial steps would need to be taken in this regard.

B. Office of the Prosecutor

20. The resource requirement of the Office of the Prosecutor for 2000 amounts to \$36,766,300 gross (\$31,791,700 net of staff assessment), reflecting an increase of \$5,468,600 gross (\$4,956,400 net) over the 1999 appropriation of \$31,297,700 gross (\$26,835,300 net). In addition, for 2000, it is estimated that an amount of \$3,680,000 would be available under extrabudgetary resources, as compared with estimates of \$2,920,000 for 1999 (see *ibid.*, table 5).

21. For the Office of the Prosecutor, staffing requirements for 2000 comprise 387 posts (247 Professional and 140 General Service), reflecting an increase of 41 new posts (25 Professional and 16 General Service), as compared with 346 posts in 1999 (see *ibid.*, table 6). Of the 41 proposed new posts for 2000, 29 relate to Kosovo investigations (see paras. 24, 30, 32 and 34 below) and 12 to appeals and other increases in workload (see paras. 23, 24 and 32 below). The Advisory Committee notes that, in accordance with paragraph 22 of General Assembly resolution 53/212, for the year 2000, as in 1999, the posts proposed for the Office of the Prosecutor include five Professional and two General Service posts in The Hague that were funded in 1998 against the budget of the International Criminal Tribunal for Rwanda.

22. The staffing proposal of the Office of the Prosecutor also includes the reclassification of 10 posts: 3 P-4 legal adviser posts to the P-5 level, 1 P-3 legal officer post to the P-4 level, 3 P-2 military intelligence posts to the P-3 level

and 3 P-2 criminal intelligence analyst posts to the P-3 level (see *ibid.*, para. 38 and annex II, paras. 17, 22, 32 and 33).

23. It is proposed that an Appeals Unit be established in 2000 in the Office of the Prosecutor. This new unit would include two P-5 Appeals Counsel (one from the International Tribunal for the Former Yugoslavia and one from the International Criminal Tribunal for Rwanda) and the P-4 and P-3 legal officers (Rwanda Tribunal) based in The Hague. It is proposed to establish two new legal officer posts (1 P-4 and 1 P-3) to assist the Appeals Counsel on appeals in the International Tribunal for the Former Yugoslavia (see *ibid.*, para. 29 and annex II, paras. 1-7). The Advisory Committee has no objection to these proposals.

24. It is also proposed to establish one new P-2 post for the Chief of the Trial Support Unit, two new legal officer posts at the P-3 level in the Investigation Team Legal Advisers Unit (for additional workload related to Kosovo), one General Service post for a research assistant in the Legal Advisory Section and seven General Service posts for computer systems and records personnel in the Information and Evidence Section (see *ibid.*, annex II, paras. 12, 16, 21, 50-54, 60 and 61).

25. The Advisory Committee is not persuaded of the need for a P-2 post for Chief of the Trial Support Unit. In the view of the Committee the function described in the financing report (see *ibid.*, annex II, para. 12) should be assigned to one of the staff in the Unit. The Committee also recommends against approval of the request for two additional P-3 legal officer posts for the Investigation Team Legal Advisers Unit at Headquarters (see *ibid.*, annex II, para. 16); the Unit already has 14 legal advisers (13 P-4 and 1 P-3), who should provide the necessary headquarters support to investigation activities, including those associated with Kosovo.

26. With respect to the reclassification of three P-4 legal adviser posts to senior legal advisers at the P-5 level (see *ibid.*, annex II, para. 17), the Advisory Committee notes that the proposal is based on the assumption that one person, the Chief of Prosecutions, cannot supervise 30 staff along with staff in other sections. The Committee does not consider this to be a convincing argument and accordingly does not recommend approval of the proposed reclassifications.

27. A new General Service post is requested for a research assistant in the Legal Advisory Section (see *ibid.*, annex II, para. 21). The Section is composed of nine Professionals (1 P-5, 3 P-4 and 5 P-3) and one General Service post. The new post would provide support for the research aids and other paralegal assistance to the Section. In the opinion of the Advisory Committee, the use of new technology by the Professionals in the Section should make it possible for the

Section to work with the support currently available. The Committee recommends that the required functions be carried out through redeployment.

28. The reclassification of one P-3 legal adviser post to the P-4 level in the Legal Advisory Section (see *ibid.*, annex II, para. 22) appears to be based mainly on the level of the targets of investigation. The Advisory Committee is not persuaded by this argument and recommends against the proposed reclassification.

29. As indicated in the financing report, the Prosecutor has determined that to fulfil the mandate of the Tribunal, 36 investigations must be completed (*ibid.*, para. 31). These 36 investigations would involve 150 suspects or accused persons, and the objective is to bring them to the indictment stage by the end of 2004. At the time of the hearings of the Advisory Committee, 19 of those investigations had been started.

30. To respond to the investigative needs in Kosovo in 2000, the Tribunal proposes to establish an additional team for Kosovo in the Investigation Division of the Office of the Prosecutor, thus making a total of 11 investigation teams, with 2 teams dedicated to Kosovo (see annex II to the present report). It is proposed to establish a new P-5 post for the Investigation Commander of the Kosovo teams and one P-4, five P-3 and six P-2 posts for investigators in the two Kosovo teams (see *ibid.*, annex II, paras. 26 and 41).

31. For the reasons provided in the financing report (see *ibid.*, annex II, para. 26), the Advisory Committee agrees with the proposed establishment of a new P-5 post for the Investigation Commander for Kosovo. The Committee also agrees with the proposal to strengthen the existing investigation team for Kosovo by approving three additional P-2 investigator posts. The Committee notes that the second Kosovo team would be located partly in The Hague, and the remainder would be deployed to the Pristina office. In this connection, the Committee recalls its report on the revised budget estimates for 1998 and proposed requirements for 1999 of the Tribunal (A/53/651, paras. 21, 40 and 41). In view of the inherent flexibility in the use of investigative resources, the Committee believes that additional investigative work in Kosovo could be carried out by reassignment of personnel from the existing 10 teams of the Investigation Division (see annex II to the present report). The Committee therefore recommends against approval of one P-4, five P-3 and three P-2 posts.

32. Other posts proposed for the Investigation Division for 2000 include 1 new P-3 post for a demographer in the Leadership Research Team, 2 new P-3 posts for a legal officer and an investigator in the Fugitive Intelligence and

Sensitive Sources Unit and 10 new posts for the proposed field offices in Pristina and Skopje (2 P-4, 2 P-2 and 6 General Service) (see A/54/518, annex II, paras. 29, 36, 46 and 47). With the exception of one P-3 post for an investigator, the Advisory Committee agrees with the above proposal.

33. For the reasons given in the financing report (see *ibid.*, annex II, paras. 32 and 33), the Advisory Committee also agrees with the proposed reclassification of six P-2 military intelligence and criminal intelligence analysts to the P-3 level.

34. Two General Service posts are proposed for the Administrative Support Pool in view of the addition of a second Kosovo team: one for an investigation assistant and the other for a language assistant (see *ibid.*, annex II, para. 44). The Advisory Committee notes that a secretarial post will be redeployed from the Prosecution Division to provide additional support for the Investigation Commander. The Committee recommends approval of one General Service post for the language assistant. The Committee is not convinced of the need for an additional investigation assistant post.

35. Five General Service posts are requested to provide translation coordination, computer scanning and records management services in the Evidence Unit (see *ibid.*, annex II, paras. 50-54). The Advisory Committee notes that there are approximately 1,000 translation requests per month that would be handled by the translation coordinator and that it is estimated that in 2000 approximately 80,000 pages will need to be translated (see *ibid.*, annex V). Furthermore, the Committee notes that there is a backlog of 300,000 pages that need to be processed in the Evidence Unit. For the reasons given in the report, the Committee agrees with the request for five General Service posts: one for a translator coordinator, two for computer systems assistants and two for records clerks.

36. A request for two General Service posts is made for computer support (see *ibid.*, annex II, paras. 60 and 61). One of the reasons given for requesting a General Service post for a computer information systems clerk (software support) is the expectation that the additional computer systems being developed by the Systems Development Unit during 1999 and 2000 will increase even further the demands on the two existing staff members. It is proposed to increase by two the present complement of nine computer information system clerks (integration clerks). In the opinion of the Advisory Committee, it has not been clearly explained how the increase in investigations has led to a consequential increase in the workload of the nine computer system clerks, thus

necessitating the request for additional clerks. Accordingly, the Committee does not recommend approval of the request.

37. Provision under other staff costs for the Office of the Prosecutor in 2000 amounts to \$4,868,800, reflecting an increase of \$3,051,800, or 168 per cent, as compared with \$1,817,000 appropriated for 1999. This includes provision of \$90,000 for overtime requirements of General Service personnel and \$4,778,800 for general temporary assistance. The latter amount is for indexing of documents seized under search warrants (\$1,128,600), temporary analysts for the Military Analysis Team and the Leadership Research Team of the Investigation Division (\$676,000) and exhumations (\$2,974,200). The provision for exhumations includes requirements for the exhumation projects in Bosnia and Herzegovina (\$1,204,200) and in Kosovo (\$1,770,000) (see A/54/518, para. 39). Subject to the discussion in the paragraphs below, the Advisory Committee recommends acceptance of the request for resources under other staff costs.

38. The Advisory Committee was informed that the exhumation project had in the past been supported by voluntary contributions to the Tribunal's trust fund. Over the past three years, however, it has become more difficult to raise the necessary funding from voluntary contributions. In 1999, the Office of the Prosecutor received pledges amounting to \$3,760,000 for the exhumation project in Bosnia and Herzegovina, but there have been significant delays in the receipt of contributions. The Prosecutor has determined, on the basis of experience, that the project yielded crucial evidence in a number of cases and that it should not be threatened by the uncertainty of extrabudgetary funding. For 2000, therefore, it is proposed to include in the assessed budget the costs of the exhumation project in Bosnia and Herzegovina and the costs for the continuation of the forensic work initiated in 1999 in Kosovo.

39. The Advisory Committee was informed that it is planned to extend the project in Bosnia and Herzegovina in 2000 for seven months due to climatic factors. Field exhumations are to be performed at about nine sites. Based on past experience, it is expected to recover approximately 100 bodies. There will be a mortuary in Visoko. The majority of sites will be around the Prijedor area in northwestern Bosnia and are related to existing public indictments.

40. With regard to the Kosovo project, in 1999 forensic work has been completed on 120 sites in Kosovo, and 340 additional sites have been identified (see A/54/518, para. 6). It is indicated in the financing report (*ibid.*, para. 39 (b) (iii))

that a selected number of mass graves uncovered in 1999 will be investigated in detail in 2000 by two exhumation teams composed of 66 personnel. The Advisory Committee was informed that it is expected that the two teams will conduct exhumations at approximately 30 sites each.

41. At the time of the hearings of the Advisory Committee, approximately 360 identified crime sites required forensic investigative work. As more sites are being reported to the Office of the Prosecutor, it is assumed that 60 additional sites will be identified by 2000. The Committee was informed that the projected additional cost of such an operation in Kosovo, if it were to be implemented fully, would be approximately \$15,588,700, as follows:

Other staff costs	\$6 473 300
Travel	1 392 400
General operating expenses	2 030 700
Equipment	5 366 300
Supplies and materials	326 000
Total estimated costs	\$15 588 700

42. The Advisory Committee points out that the estimates do not contain any information on the funding of the activities described above. The Committee requests the Secretary-General to further clarify this issue in the Fifth Committee.

43. The provision of \$2,544,100 is proposed for travel requirements of the Office of the Prosecutor, reflecting growth of \$587,900 over the 1999 appropriation of \$1,956,200. The Advisory Committee recommends approval of the travel budget for the Office of the Prosecutor for 2000 at the same level as the projected expenditure for 1999, namely, \$2,295,000 (see *ibid.*, para. 41, and annex I to the present report).

44. The proposed provision for contractual services in the Office of the Prosecutor for 2000 amounts to \$66,100, reflecting no resource growth as compared with the 1999 appropriation. The Advisory Committee recommends approval of the provision for contractual services in the Office of the Prosecutor for 2000 at the same level as the projected expenditure for 1999, namely, \$49,700 (*ibid.*, para. 42, and annex I to the present report).

C. Registry

45. The resource requirement for the Registry for 2000 amounts to \$71,239,900 gross (\$65,794,700 net of staff assessment and other income), reflecting an increase of \$1,701,400 gross (\$1,127,600 net of staff assessment and other income) over the 1999 appropriation of \$69,538,500 gross (\$64,667,100 net of staff assessment and other income). In addition, in 2000 estimated extrabudgetary resources, amounting to \$2,121,100, will be administered by the Registry, as compared with \$985,000 in 1999 (see A/54/518, table 7).

46. For the Registry, the staffing requirements in the proposed assessed budget for 2000 comprise 495 posts (189 Professional, 194 General Service and 112 security personnel), including the creation of 57 posts (21 Professional, 23 General Service and 13 security personnel). In addition, the proposed requirements for 2000 include 14 extrabudgetary posts (1 P-3 and 13 General Service) (see *ibid.*, table 8). The staffing proposal of the Registry for 2000 also includes the reclassification of four posts. Paragraphs 62-129 of annex II to the financing report (A/54/518) provide in some detail justifications for the 57 new posts and 4 reclassifications, of which 12 new posts are explained as being related to Kosovo.

47. The Advisory Committee recalls that for the Registry the staffing requirements in the proposed budget for 1999 comprised 456 posts (176 Professional, 181 General Service and 99 security personnel), including the addition of 171 posts (56 Professional, 87 General Service and 28 security personnel), which included 46 additional posts requested in the revised 1998 budget and 10 General Service posts for the Chambers shown under the Registry in the 1999 budget (see A/53/651, paras. 24, 26, 30 and 50). The Committee had recommended approval of 101 additional posts for the Registry for 1999 and 42 additional posts for 1998 (and against approval of 14 additional posts for 1999 and 4 additional posts for 1998).

48. As indicated in the financing report (A/54/518, para. 50) 12 of the 57 proposed new posts are identified as being related to Kosovo. Of the total, 17 are requested to strengthen judicial support for the Chambers, 4 are for general legal services, 3 are for the Office of the Registrar, including public information services, and 33 are for administrative services. As can be seen from the paragraphs below, the Advisory Committee recommends that priority be given to legal and judicial support and to language-related services in the administrative area.

49. Two new posts are proposed for the Office of the Registrar: a special assistant post at the P-4 level and an administrative clerk at the General Service level (see *ibid.*, annex II, paras. 69 and 70). The Advisory Committee notes that the Registrar currently relies on the services of an associate legal officer (P-2) to support her office and that it is proposed to redeploy this post to the new Legal Division (see *ibid.*, annex II, para. 67).

50. The Advisory Committee sees no justification in requesting a P-4 post for special assistant to perform functions previously performed by a P-2 legal officer. The Committee questions the rationale for proposed redeployments leading to requests for additional positions. Accordingly, the Committee recommends that the functions of the proposed posts be carried out through internal redeployment. The same procedure should be followed with respect to the request regarding a General Service post for administrative work related to increased information activities and for a new P-3 special assistant post for the Deputy Registrar (see *ibid.*, annex II, paras. 73 and 75).

51. The request for additional staff for the Chambers Legal Support Section is explained in detail (see *ibid.*, annex II, paras. 76-86). A total of 12 Professional (1 P-5, 4 P-3, 7 P-2) and 1 General Service post is requested. It is recalled (see *ibid.*, annex II, para. 81) that the Advisory Committee had previously recommended against approval of four additional legal officer posts (1 P-4 and 3 P-2) (see A/53/651, para. 25). On the basis of the information given in the budget proposal and taking into account the increasing judicial workload of the three Chambers, the Committee recommends approval of these posts.

52. The Advisory Committee also recommends approval of the two proposed General Service posts in the Court Management and Support Section (see A/54/518, annex II, paras. 87-92), including the proposed reclassification of a P-2 post to the P-3 level for the Chief of the Archiving Unit.

53. As regards the proposals for the Legal Division (see *ibid.*, annex II, paras. 93-103), the Advisory Committee recommends approval of two P-2 associate legal officer posts for the Registry Legal Support Unit and two General Service posts for the Victims and Witnesses Section. However, the Committee questions the rationale for establishing a new division instead of a section for the functions described in paragraph 93 of annex II to the report. The Committee notes that for 2000 there are a number of sections in the Tribunal with a considerable number of staff that are not classified as divisions. The Committee cautions against the tendency to inflate the organizational nomenclature with the consequent temptation to request

higher-grade posts. Accordingly, the Committee requests a review of this matter and pending the result of such review, does not recommend approval of the proposed reclassification of P-5 to D-1 for the post of General Counsel.

54. The proposals for new posts in the Administrative Support Division include 5 Professional, 15 General Service and 13 security personnel (see *ibid.*, annex II, paras. 104-129). In this connection, the Advisory Committee requested clarification as to the arrangements for security cooperation with the United Nations Interim Administration Mission in Kosovo (UNMIK) on matters such as personnel, police protection and premises, as well as in administrative services such as travel arrangements, procurement, air services in the field and so on. The Committee was informed that the International Tribunal for the Former Yugoslavia and UNMIK had entered into a common services agreement for administrative and operational services in Kosovo. Initially, staff of both the Tribunal and the Department of Peacekeeping Operations were deployed to Kosovo to establish an infrastructure for mission work. The Tribunal contributed staff with architectural/building management skills, as well as communication technicians and logistical and administrative (financial) staff. The Department of Peacekeeping Operations provided engineering, managerial, electronic, financial services and other support staff with field mission experience. The teams worked jointly to identify office space and residential housing, to establish supply lines and to set up communications throughout the region. In particular, the Tribunal technicians were instrumental in setting up the regional communications network using Department of Peacekeeping Operations equipment, preparing the initial security assessments required by Headquarters and providing direct assistance in setting up payroll and other financial structures. In return, the Department of Peacekeeping Operations was able to use its engineering and logistical staff to secure office space and make it habitable, re-establish water supplies and electrical service and provide transportation. The Tribunal received the benefit of vehicles for use during its 300-person exhumation project in Kosovo, including the provision of vehicle radios for regular and emergency communications. The Tribunal received office space, use of furniture, supplies, telephone lines, drinking water and administrative support services, such as the delivery of cash (in the absence of a local banking system). No direct costs have been incurred as a result of the provision of these goods and services. The cooperative efforts of the Tribunal and the Department of Peacekeeping Operations provided significant benefits to both the Tribunal and to the Department/UNMIK.

The common services agreement is open-ended and will continue as long as needed.

55. The Advisory Committee has no objection to the proposed P-3 administrative officer to be posted in Pristina, with responsibility for all administrative matters in the Pristina and Skopje offices, and the General Service post of welfare assistant (see *ibid.*, annex II, paras. 107 and 108).

56. New posts for security personnel, comprising one in Zagreb, two in Belgrade, five in Pristina and five in Skopje, are requested (see *ibid.*, annex II, paras. 109-113) in order to support new field offices as well as to strengthen the current arrangements in the existing field offices.

57. It is anticipated that the office in Belgrade will re-open in 2000 (see *ibid.*, annex II, para. 111). The Advisory Committee sought clarification on how the costs for the posts in Belgrade were calculated and the status of the agreement entered into with the Government to reopen the office. The Committee was informed that the report included the following provisions for the Belgrade field office:

(a) Posts: P-4 Head of Mission; P-2 operations officer; General Service (Other level) secretary; 2 security officers;

(b) Accommodation: rental provision, nil; cleaning, \$10,600; utilities, \$2,900;

(c) Communications: \$15,000.

The Committee was informed that the Federal Republic of Yugoslavia had refused visas to Tribunal staff since the autumn of 1998. Under the circumstances, the Committee recommends that no funds be appropriated for the Belgrade field office at this stage for two security personnel, office accommodation and communications. When the office is reopened, the related costs could be included in the performance report.

58. Three additional posts are requested (see *ibid.*, annex II, paras. 115-117) for the Finance Section of the Administrative Support Division: a P-2 post of Treasurer, who will act as principal signatory of the Tribunal and supervise the work of the Cashier's Office and the Treasury Unit, and two General Service posts, one to provide assistance with cash disbursements in the field and the second to assist in the processing of the payroll.

59. The Advisory Committee recalls its observation with regard to the 1999 proposal, as well as for the 1998 revised estimates, that it appeared that an attempt had been made to cover every eventuality and that little effort had been made to absorb some of the additional workload and function (A/53/651, para 47). The Committee reiterates this view with

regard to some of the requests contained in the proposed 2000 budget. In the Finance Section, for example, for the 1999 budget, the existing staff resources (1 P-3, 1 P-2 and 6 General Service posts) were augmented by the addition of eight new posts (1 P-2 and 7 General Service), and the Chief of the Section was reclassified from the P-3 to the P-4 level; five of the seven new General Service staff were proposed for finance assistants in the functions of payroll supervisor and payroll assistant in order to assist processing of the increased number of personnel, field staff and monthly salary payments (A/C.5/53/13, paras. 85 and 86). The Committee is of the view that the functions described in the financing report for 2000 (A/54/518, annex II, paras. 115-117) for the three proposed new posts should be assigned to the present staff complement of the Finance Section. This is an area where automation can lead to higher productivity and obviate the need for additional personnel. The Committee, therefore, recommends against the establishment of three additional posts for this Section (1 P-2 and 2 General Service).

60. The Advisory Committee recalls that for the 1999 budget, the existing staff resources of the Human Resources Section (1 P-5, 1 P-3, 1 P-2 and 6 General Service posts, 2 of which are funded from extrabudgetary resources) were augmented by five additional General Service posts (A/C.5/53/13, para. 87). For the proposed 2000 budget, three new General Service posts are requested for the Human Resources Section (A/54/518, annex II, para. 119). However, the Committee finds scant justification for this request. For example, the Committee notes that an administrative assistant post is requested because the Chief of Section is frequently absent from the office to attend meetings, interviews and other activities. Accordingly, the Committee does not recommend acceptance of the proposed three additional General Service posts and requests that their functions be absorbed. The Committee supports, however, the reclassification of the staff administration officer post from P-2 to P-3 for the reasons indicated (see *ibid.*, annex II, para. 120).

61. Requirements for conference and language services include two P-3 posts for translators, two General Service posts for language assistants and two General Service posts for text-processing clerks (see *ibid.*, annex II, paras. 121-124). Upon enquiry, the Advisory Committee was informed that the vacancy rate in the language services was 12.6 per cent as at November 1999 (see annex III to the present report). The Committee was informed that the Tribunal had frequent difficulties in recruiting qualified language staff. The Committee notes (see *ibid.*, annex II, para. 123) that the request is in accordance with the recommendations of the

Trial Chambers to speed up trial proceedings and that, given the number of trials with several co-accused, Office of the Prosecutor teams will require greater back-up support in expediting their work, using the help of language assistants. The Committee also notes that at present there are 2 text-processing clerk posts supporting 46 English translators and 2 posts supporting the French translators (*ibid.*, annex II, para. 124). The Committee recommends acceptance of the proposal.

62. One P-2 and four General Service posts are proposed for the Electronic Support and Communications Section and one General Service post is proposed for the General Services Section (see *ibid.*, annex II, paras. 125-129). The Advisory Committee recommends approval of the establishment of the new P-2 post for a Reality system administrator as proposed. The Committee recommends against approval of the proposed five additional General Service posts and requests that the functions be absorbed.

63. The proposed provision for other staff costs amounts to \$4,894,900, reflecting a decrease of \$62,400 as compared with the 1999 appropriation of \$4,957,300 (see A/54/518, table 7). The decrease in requirements relates mainly to the planned changeover from direct to remote court reporting in French in the second half of 2000, partially offset by increased requirements under temporary assistance for the screening of seized documents, for the exhumation projects and for overtime to support investigations in Kosovo (see *ibid.*, annex II, para. 51). Proposed requirements would include provisions for overtime (\$512,200), temporary assistance for translation and interpretation (\$368,100), verbatim reporting (\$819,900), and field interpretation (\$896,500), as well as general temporary assistance for document screening projects (\$1,487,500), peak exhumation project workloads (\$213,800), field security (\$311,800) and other general temporary assistance requirements (\$285,100), relating to the replacement of General Service staff on annual, sick or maternity leave, or to cover unforeseen requirements or peak workloads.

64. The Advisory Committee welcomes the replacement of direct court reporting by remote reporting. The Committee notes that under the Registry, the Tribunal realized savings in 1998 of \$501,200 under other staff costs and that expenditure for other staff costs in 1999 are forecasted to be reduced by about \$1,752,900, or 35 per cent of the 1999 appropriation of \$4,957,300 (see A/54/395, para. 9 (b), and annex I to the present report). Based on prior experience, the Committee recommends that an appropriation of \$4,405,410 be approved, reflecting a reduction of approximately 10 per cent from the proposed amount.

65. A provision of \$89,800 is requested to cover costs related to expert witnesses (\$58,000) and language support and archiving (\$31,800) (see A/54/518, para. 52). For the reasons given in the report, the Advisory Committee recommends acceptance of this proposal.

66. The proposed travel budget of \$2,364,000 reflects a decrease of \$569,900, due mainly to the smaller number of witnesses estimated for 2000 (see *ibid.*, para. 53). Experience in 1997-1998 has shown that the length of stay of witnesses can vary significantly, depending on the number of defendants and the complexity of the case. In 1998, the Tribunal realized savings under the Registry's travel budget of \$175,300, mainly in the area of witness travel (see A/54/395, para. 12 (b)). In 1999, under the Registry, travel savings are projected at \$962,400, or 33 per cent of the appropriation (see annex I to the present report). Based on prior experience, the Advisory Committee recommends that an appropriation of \$2,127,600 be approved for the Registry's travel budget, reflecting a reduction of approximately 10 per cent from the proposed amount.

67. The Registry's requirements for contractual services are estimated at \$19,649,200, reflecting an increase of \$1,005,900, owing to the revised detainee service agreements, the commencement of French verbatim reporting by an institutional contractor and increased requirements for contractual translation to meet urgent requirements caused by trial and appeal activities (see A/54/518, para. 54).

68. The Advisory Committee notes that the bulk of the request for contractual services is for defence counsel (\$13,900,000), representing approximately 13.8 per cent of the total net expenditure projected for the Tribunal in 2000. As indicated in the financing report (see *ibid.*, para. 54 (a)), the estimate is calculated on the basis of 40 indicted persons in detention. The Committee has in the past expressed concern about the increasing cost of defence counsel activities, the fact that they are becoming very complex to manage and the fact that their expenditure has become difficult to monitor and control. In this connection, the Registrar informed the Committee, upon enquiry, that new procedures were being contemplated. The Committee encourages such an endeavour and trusts that the development of standard rates will be explored.

69. The cost of detainee services under contractual services is estimated at \$3,376,900 (see *ibid.*, para. 54 (b)). The Advisory Committee notes that a new agreement has been concluded with the Government of the Netherlands regarding detention guards and facilities for detainees. There is now one all-inclusive agreement, which includes several

elements previously paid separately by the Tribunal. The overall cost of detention cells totals 6,749,580 guilders (\$3,245,000). Two further agreements have been entered into by the Tribunal, one with the Government of Austria for one detention guard, and one with the Government of Denmark for three detention guards. The total cost for these four guards is estimated at \$131,900.

70. In 1998 savings under contractual services amounted to \$568,300, or 4.7 per cent of the 1998 appropriation of \$12,095,700. This included savings of \$535,900 related to defence counsel costs, which represented approximately 5 per cent of the appropriation (see A/54/395, para. 13). The expenditure projected for 1999 for contractual services under the Registry indicates estimated savings of \$1,305,600, or 7 per cent of the 1999 appropriation of \$18,643,300 (see annex I to the present report). Based on prior experience, the Advisory Committee recommends that an appropriation of \$18,666,700 be approved for the Registry's contractual service requirements, reflecting a reduction of approximately 5 per cent from the proposed amount.

71. A provision of \$13,973,500 is requested for general operating expenses (\$9,121,100), alterations to premises (\$711,700), supplies and materials (\$1,153,800) and acquisition of equipment (\$2,986,900) (see A/54/518, paras. 56-59).

72. The provision for general operating expenses of \$9,121,100 reflects an increase of \$630,900 over the 1999 appropriation. An amount of \$3,687,200 is for rental of premises. The Advisory Committee notes that the Tribunal is in the process of acquiring additional office space in 2000 (approximately 5,300 square metres) that will accommodate approximately 210 people. This space, combined with the headquarters building of the Tribunal, will be able to accommodate approximately 860 people in 2000 (see *ibid.*, para. 56).

73. As shown in the 1998 performance report (A/54/395, paras. 14-18), cost savings amounting to \$2,007,900, or 17.5 per cent of the amounts appropriated (\$11,499,800), were realized in the following expenditure categories: general operating expenses (\$647,800), supplies and materials (\$508,300), furniture and equipment (\$674,300) and alterations to premises (\$177,500). The projected expenditure for 1999 for these four categories indicates savings of approximately \$1,042,100, or about 7 per cent of the amount appropriated (\$14,697,000) (see annex I to the present report). Based on prior experience, the Advisory Committee recommends that an appropriation of \$12,576,100 be approved for the four categories of

expenditure, reflecting a reduction of approximately 10 per cent from the proposed amount.

74. In the proposals for 2000, demining is included under general operating expenses (see A/54/518, paras. 56 (s) and (x)) and so does not involve any posts. A provision of \$292,100 is included in the proposals for demining services: \$149,600 for Bosnia and Herzegovina and \$142,500 for Kosovo. Upon enquiry, the Advisory Committee was informed that the provisions were based on the most recent demining contracts undertaken by the International Tribunal for the Former Yugoslavia for the 1999 exhumation project in Bosnia and Herzegovina and on the sites planned for exhumation in 2000. In Bosnia and Herzegovina it is envisaged that the Tribunal will once again be required to conduct demining independently of the Stabilization Force. In Kosovo the provision is for demining services beyond those which the Kosovo Force may be able to provide, plus an on-call explosive ordnance disposal team that will provide services to each of the two exhumation teams where necessary. A provision of \$189,000 is requested for demining insurance, made up of \$63,000 for Bosnia and Herzegovina and \$126,000 for Kosovo.

75. The Advisory Committee notes from the update on the actions taken in response to the recommendations contained in the independent experts' study on the Integrated Management Information System (IMIS) of July 1998 (A/53/662 and Corr.1, para. 294) that the experts, in their recommendation 10, had recommended that the Member States approve funding of expenditures for the development of a remote connectivity capability in IMIS to support peacekeeping operations, tribunals and the operations of other interested agencies (see A/54/7/Add.4, annex I). Comments of the Administration indicate that progress has been slower than expected owing to the need to devote the existing resources to other priority activities in the Department of Management and the Department of Peacekeeping Operations. The Committee regrets the lack of progress in the implementation of IMIS in the peacekeeping operations and the Tribunals. The Committee requests that the Secretary-General proceed expeditiously with the implementation of IMIS in the Tribunals and include estimates in the next budget submission in this regard.

76. Based on recent experience, the Advisory Committee is of the opinion that an annual audit of the International Tribunal for the Former Yugoslavia may be counter-productive. It imposes a heavy burden on the Board of Auditors and it does not give officials of the Tribunal sufficient time to implement the observations and recommendations of the Board of Auditors. The Committee

points out that the General Assembly has not as yet pronounced itself on the financial period for the two Tribunals, although the Secretariat has de facto maintained a two-year financial period. Accordingly, the Committee recommends that the financial period for the Tribunal be established to be for two calendar years with a corresponding biennial audit, but with the proviso that an annual budget with an annual assessment will be maintained. The Committee further recommends that audit reports for each Tribunal be produced in separate documents.

III. Conclusions and recommendations

77. On the basis of the recommendations and observations indicated above, the Advisory Committee recommends that the General Assembly approve the appropriation of \$106,149,400 gross (\$95,942,600 net) for the operations of the International Tribunal for the Former Yugoslavia in 2000. This would represent a reduction of \$4,521,500 gross (\$4,308,500 net) from the estimate of \$110,670,900 gross (\$100,251,100 net), indicated in paragraph 62 of the proposed budget (A/54/518). A summary of the post reductions recommended by the Committee and a summary of proposed reclassifications not recommended for approval by the Committee follow:

Summary of post reductions recommended by the Advisory Committee on Administrative and Budgetary Questions

<i>Organizational unit</i>	<i>Posts</i>	<i>Paragraph No.</i>
Office of the Prosecutor		
Chief, Trial Support Unit, Prosecution Division	1 P-2	25
Team Legal Advisers Unit, Prosecution Division	2 P-3	25
Legal Advisory Section, Prosecution Division	1 General Service	27
Kosovo Team, Investigation Division	1 P-4, 5 P-3, 3 P-2	31
Fugitive Intelligence and Sensitive Source Unit, Investigation Division	1 P-3	32
Administrative Support Pool, Investigations Division	1 General Service	34
Information Support Unit, Investigation Division	2 General Service	36

<i>Organizational unit</i>	<i>Posts</i>	<i>Paragraph No.</i>
Registry		
Office of the Registrar	1 P-4 and 1 General Service	50
Public Information Services	1 General Service	50
Office of the Deputy Registrar	1 P-3	50
Security and Safety Section	2 security officers	57
Finance Section	1 P-2 and 2 General Service	59
Human Resources Section	3 General Service	60
Electronic Support and Communications Section	4 General Service	62
General Service Section	1 General Service	62
Total of 34 posts (16 Professional, 16 General Service and 2 security officers) not recommended for approval for 2000		

Summary of proposed reclassifications not recommended for approval by the Advisory Committee on Administrative and Budgetary Questions

<i>Organizational unit</i>	<i>Posts</i>	<i>Paragraph No.</i>
Office of the Prosecutor		
Team Legal Advisers Unit, Prosecution Division	3 P-4 to P-5	26
Legal Advisory Section, Prosecution Division	1 P-3 to P-4	28
Registry		
Office of the General Counsel	1 P-5 to D-1	53

Annex I

Expenditure forecast for the International Tribunal for the Former Yugoslavia, 1999

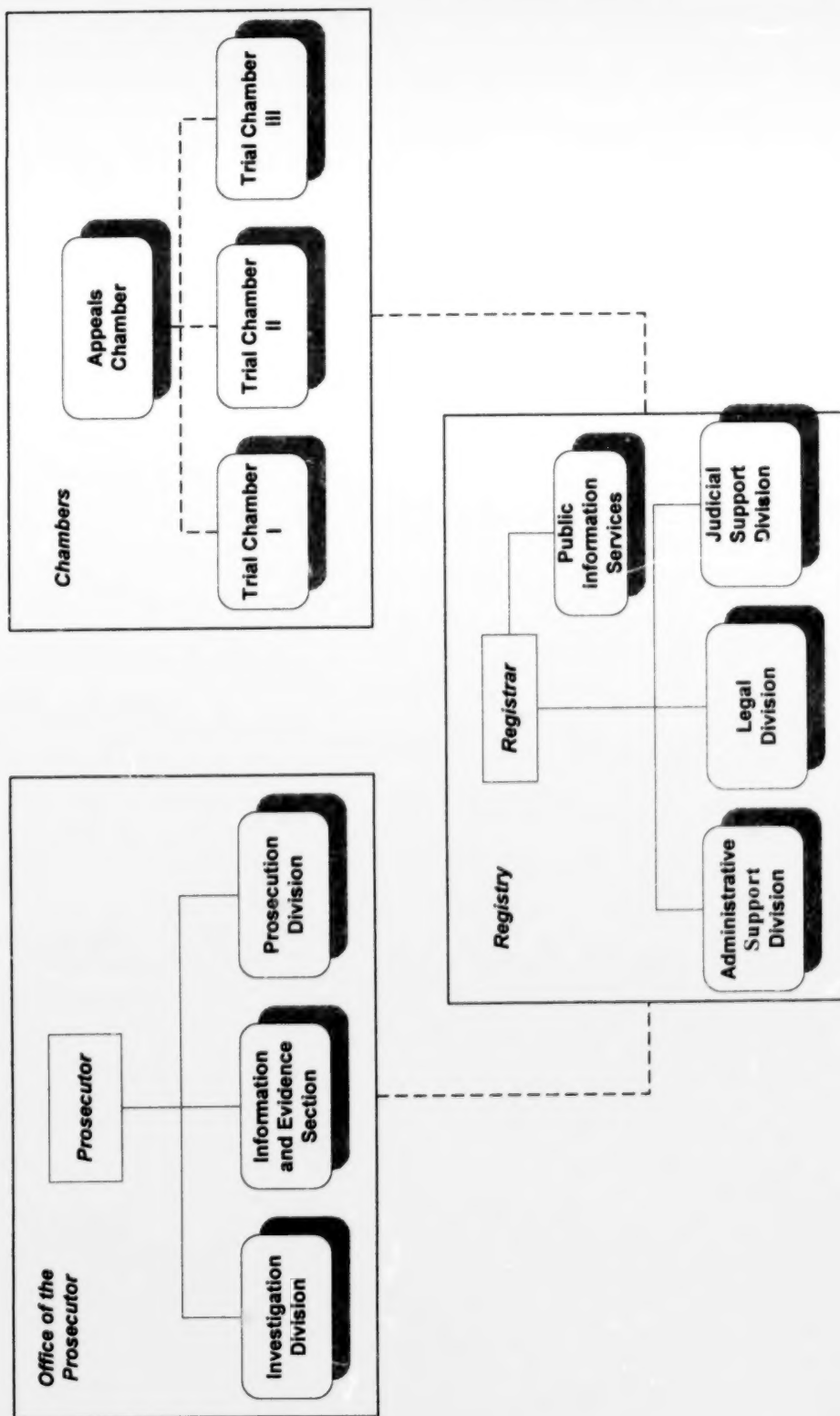
(Thousands of United States dollars)

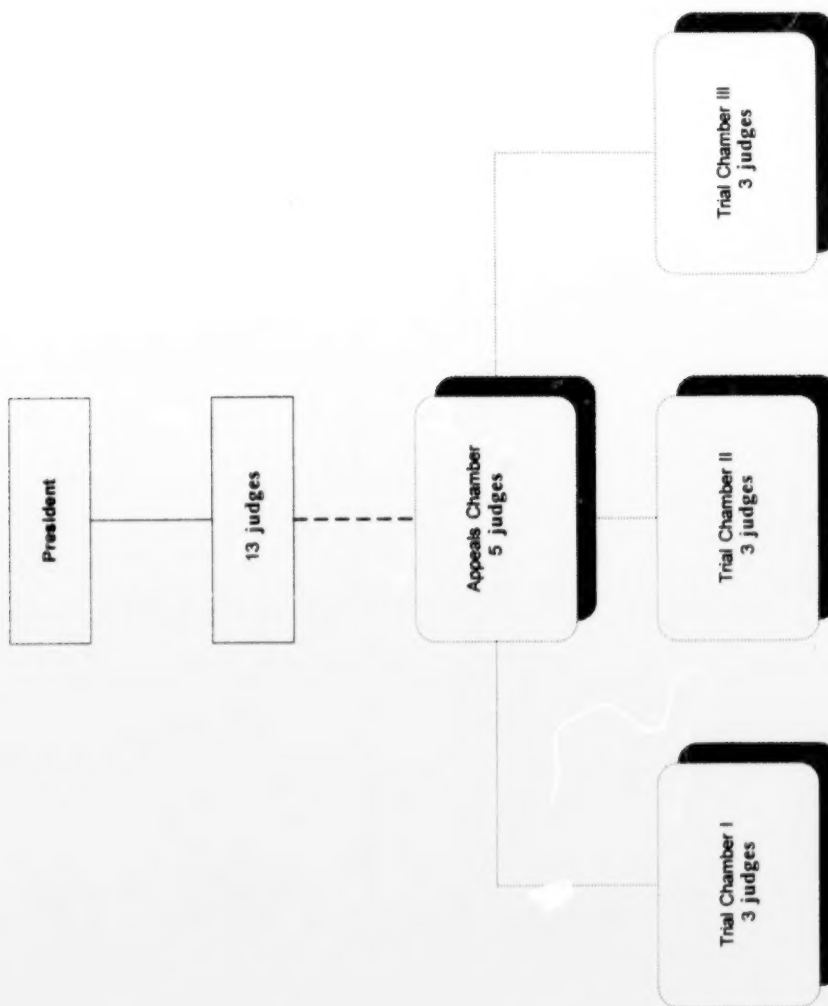
	Appropriation	Expenditures			Variance
		As at 30 September	Projected October to December	Forecast 1999	
Total					
Temporary posts	46 006.7	30 079.6	12 856.1	42 935.7	3 071.1
Other staff costs	6 774.3	2 718.2	2 030.0	4 748.2	2 026.1
Compensations to judges	2 521.2	1 825.8	666.8	2 492.6	28.6
Consultants and experts	441.1	75.8	106.3	182.1	259.0
Travel	4 955.3	3 624.2	846.4	4 470.6	484.7
Contractual services	18 709.4	15 812.2	1 576.2	17 388.4	1 321.0
Hospitality	4.0	1.5	4.0	5.5	(1.5)
General operating expenses	8 490.2	5 817.1	2 548.3	8 365.4	124.8
Supplies and materials	1 309.8	579.7	350.8	930.5	379.3
Acquisition of equipment	3 887.7	1 870.7	1 964.3	3 835.0	52.7
Construction, alterations	1 009.3	91.8	450.0	541.8	467.5
Total, net	94 103.8	62 496.6	23 399.2	85 890.6	8 213.2
Chambers					
Temporary posts	0.0	0.0	0.0	0.0	0.0
Other staff costs	0.0	0.0	0.0	0.0	0.0
Compensations to judges	2 521.2	1 825.8	666.8	2 492.6	28.6
Consultants and experts	15.0	8.7	6.3	15.0	0.0
Travel	65.2	33.8	31.4	65.2	0.0
Total, net	2 601.4	1 868.3	704.5	2 572.8	28.6
Office of the Prosecutor					
Temporary posts	22 932.4	15 579.4	6 316.9	21 896.3	1 036.1
Other staff costs	1 817.0	680.5	630.0	1 310.5	506.5
Consultants and experts	63.6	62.0	50.0	112.0	(48.4)
Travel	1 956.2	1 695.0	600.0	2 295.0	(338.8)
Contractual services	66.1	9.7	40.0	49.7	16.4
Total, net	26 835.3	18 026.6	7 636.9	25 663.5	1 171.8
Registry					
Temporary posts	23 074.3	14 500.2	6 539.2	21 039.4	2 034.9
Other staff costs	4 957.3	1 904.4	1 300.0	3 204.4	1 752.9
Consultants and experts	362.5	5.1	50.0	55.1	307.4
Travel	2 933.9	1 771.5	200.0	1 971.5	962.4
Contractual services	18 643.3	15 801.7	1 536.0	17 337.7	1 305.6

	<i>Appropriation</i>	<i>Expenditures</i>			<i>Variance</i>
		<i>As at 30 September</i>	<i>Projected October to December</i>	<i>Forecast 1999</i>	
Hospitality	4.0	1.5	4.0	5.5	(1.5)
General operating expenses	8 409.2	5 809.1	2 540.0	8 349.1	141.1
Supplies and materials	1 309.8	579.0	350.0	929.0	380.8
Acquisition of equipment	3 887.7	1 870.7	1 964.3	3 835.0	52.7
Construction, alterations	1 009.3	91.8	450.0	541.8	467.5
Total, net	64 667.1	42 335.0	14 928.3	57 263.3	7 403.8
Expert Group					
Other staff costs	0.0	133.3	100.0	233.3	(233.3)
Travel	0.0	123.9	15.0	138.9	(138.9)
Contractual services	0.0	0.8	0.2	1.0	(1.0)
General operating expenses	0.0	8.0	8.3	16.3	(16.3)
Supplies and materials	0.0	0.7	0.8	1.5	(1.5)
Total, net	0.0	266.7	124.3	391.0	(391.0)

Annex II Detailed organization charts

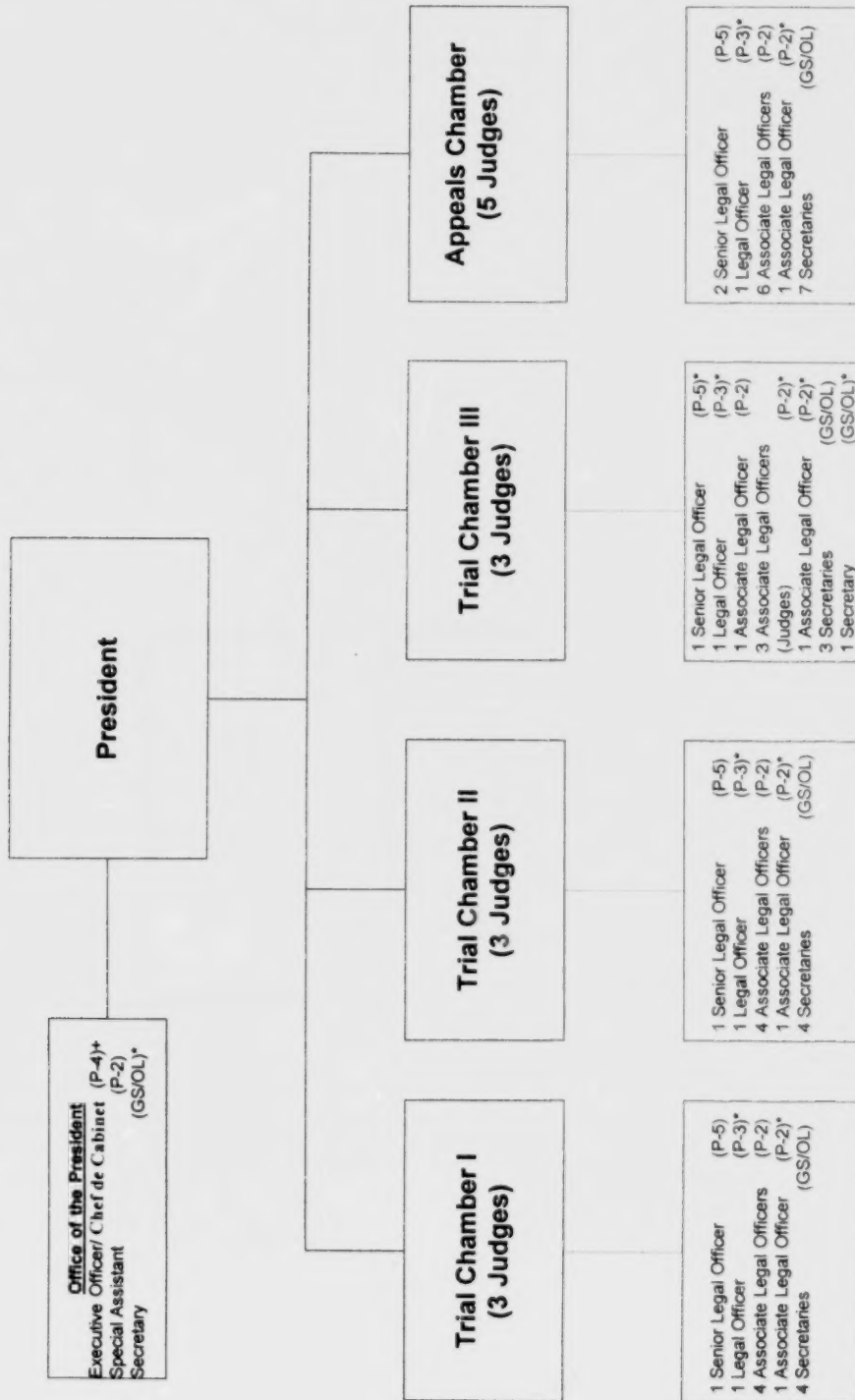
A. International Tribunal for the Former Yugoslavia, 2000





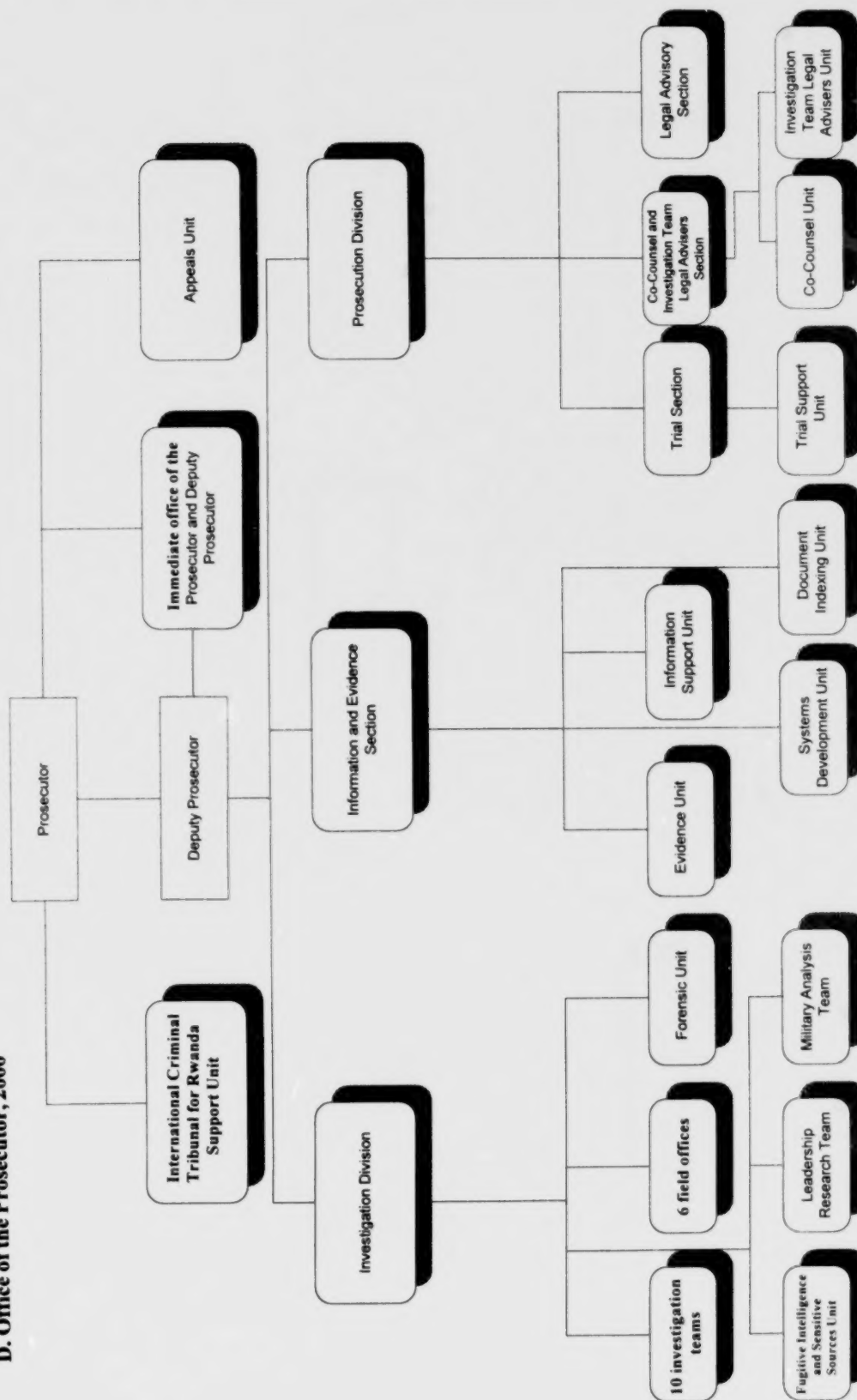
C. Support for the Chambers Chambers Legal Section, Registry, 2000

18



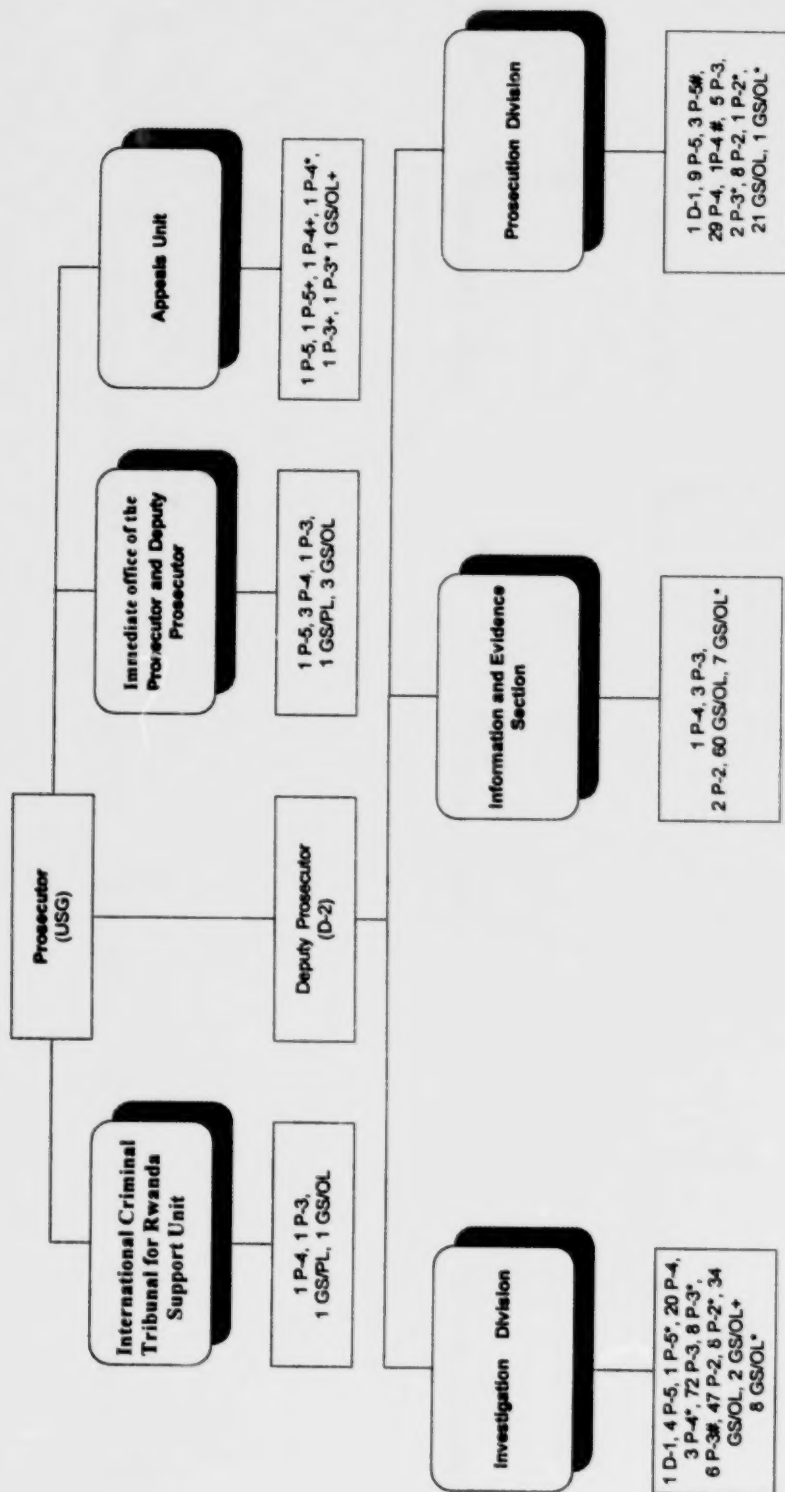
Reclassified post.
+ Redeployed post.
* New post.

D. Office of the Prosecutor, 2000



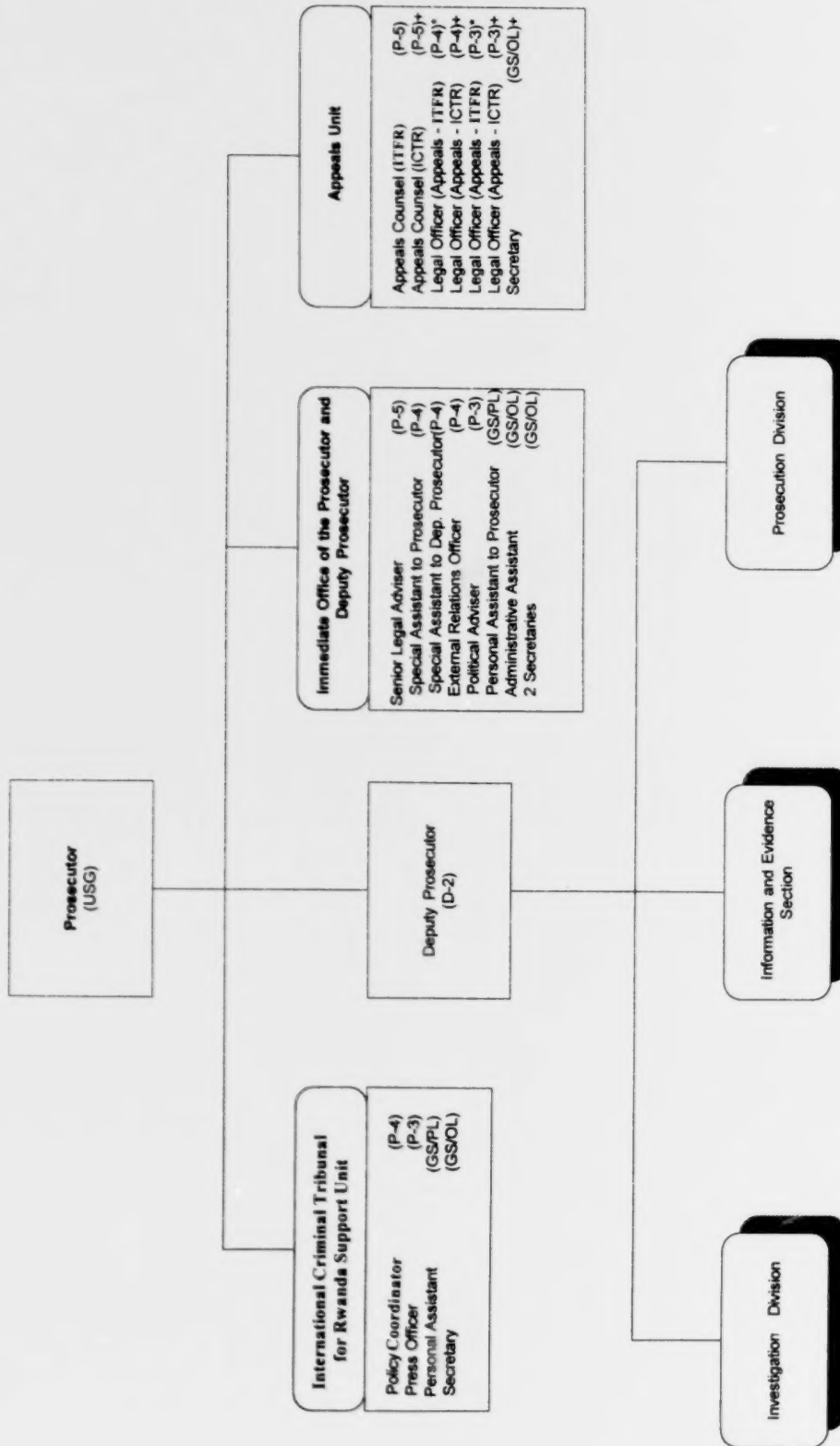
E. Office of the Prosecutor Post summary, 2000

20



Reclassified post.
+ Redeployed post.
* New post.

F. Office of the Prosecutor
Immediate office of the Prosecutor, 2000

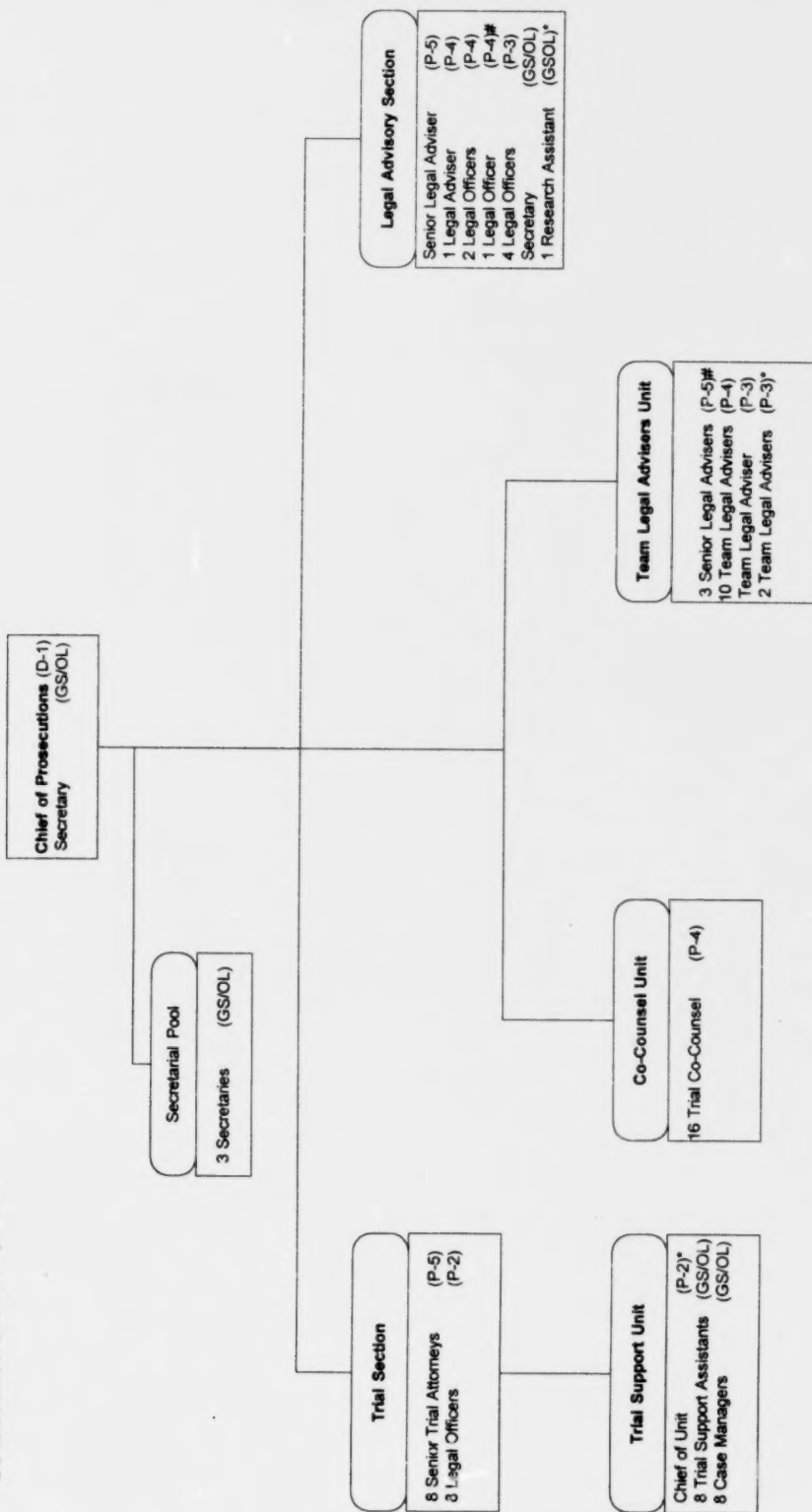


ITFR, International Tribunal for the Former Yugoslavia;
 ICTR, International Criminal Tribunal for Rwanda

* New post.
 + Redeployed post.

**G. Office of the Prosecutor
Prosecution Division, 2000**

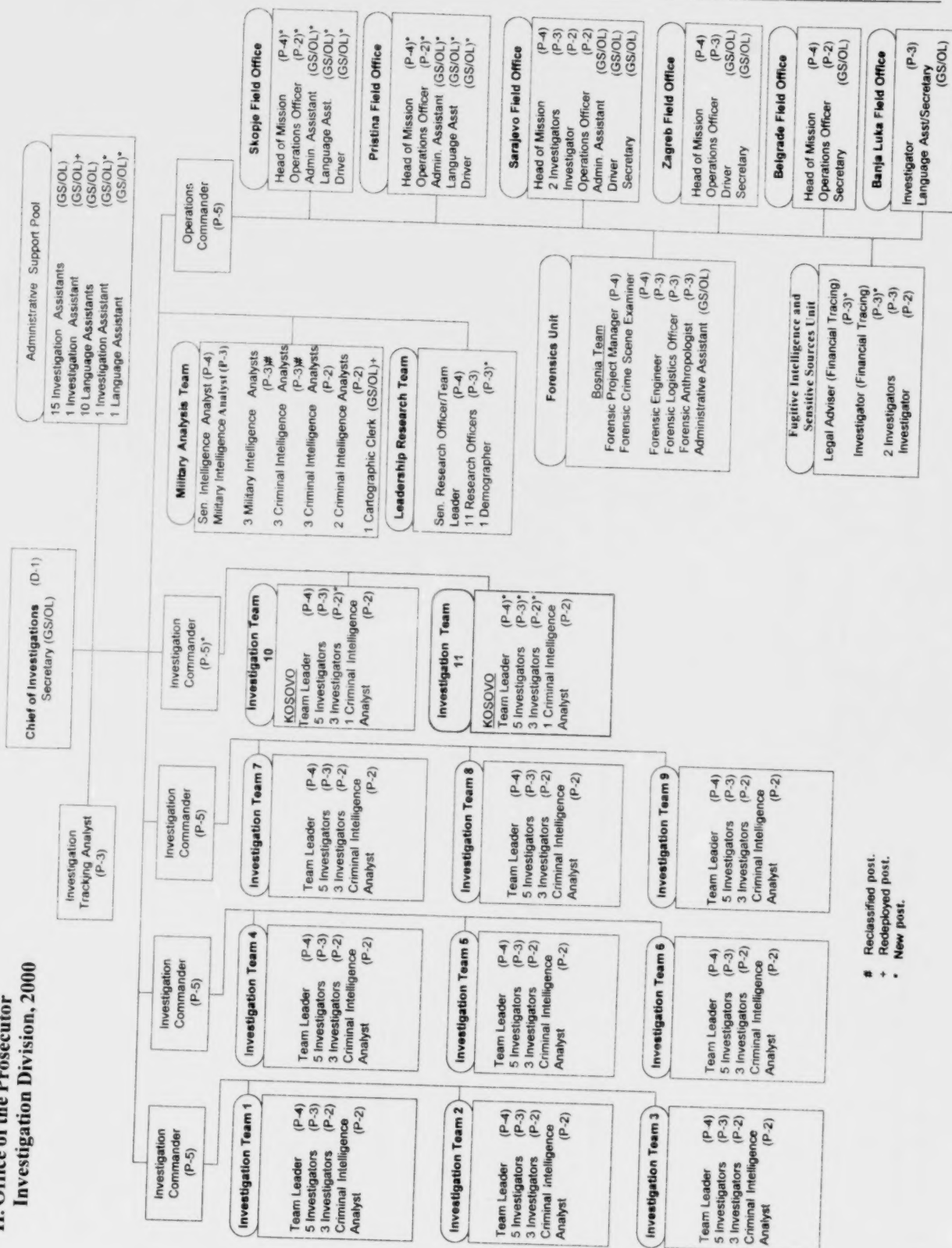
22



* New post.
+ Redeployed post.
Reclassified post.

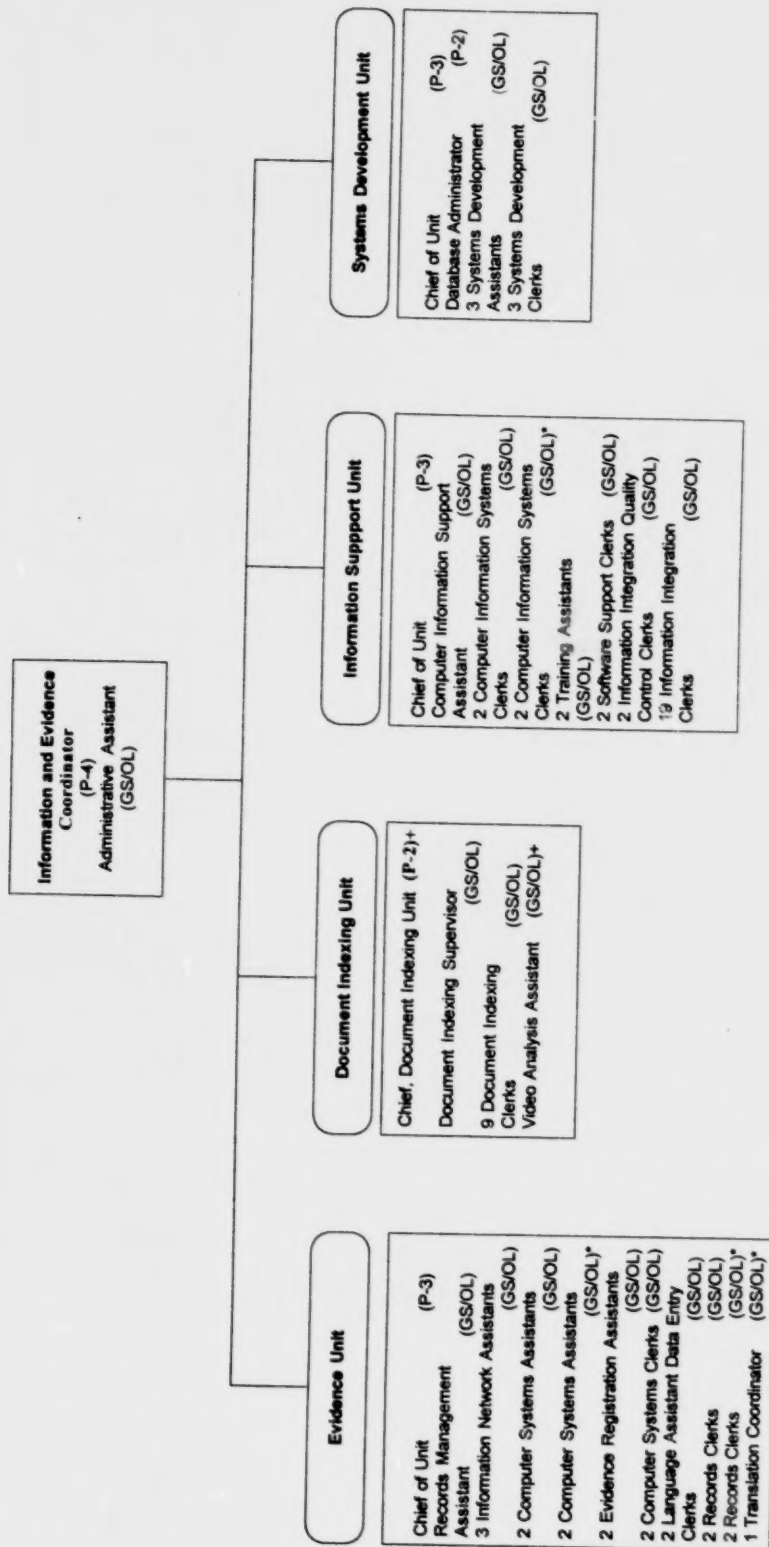
H. Office of the Prosecutor Investigation Division, 2000

A/54/645



Reclassified post.
+ Redeployed post.
• New post.

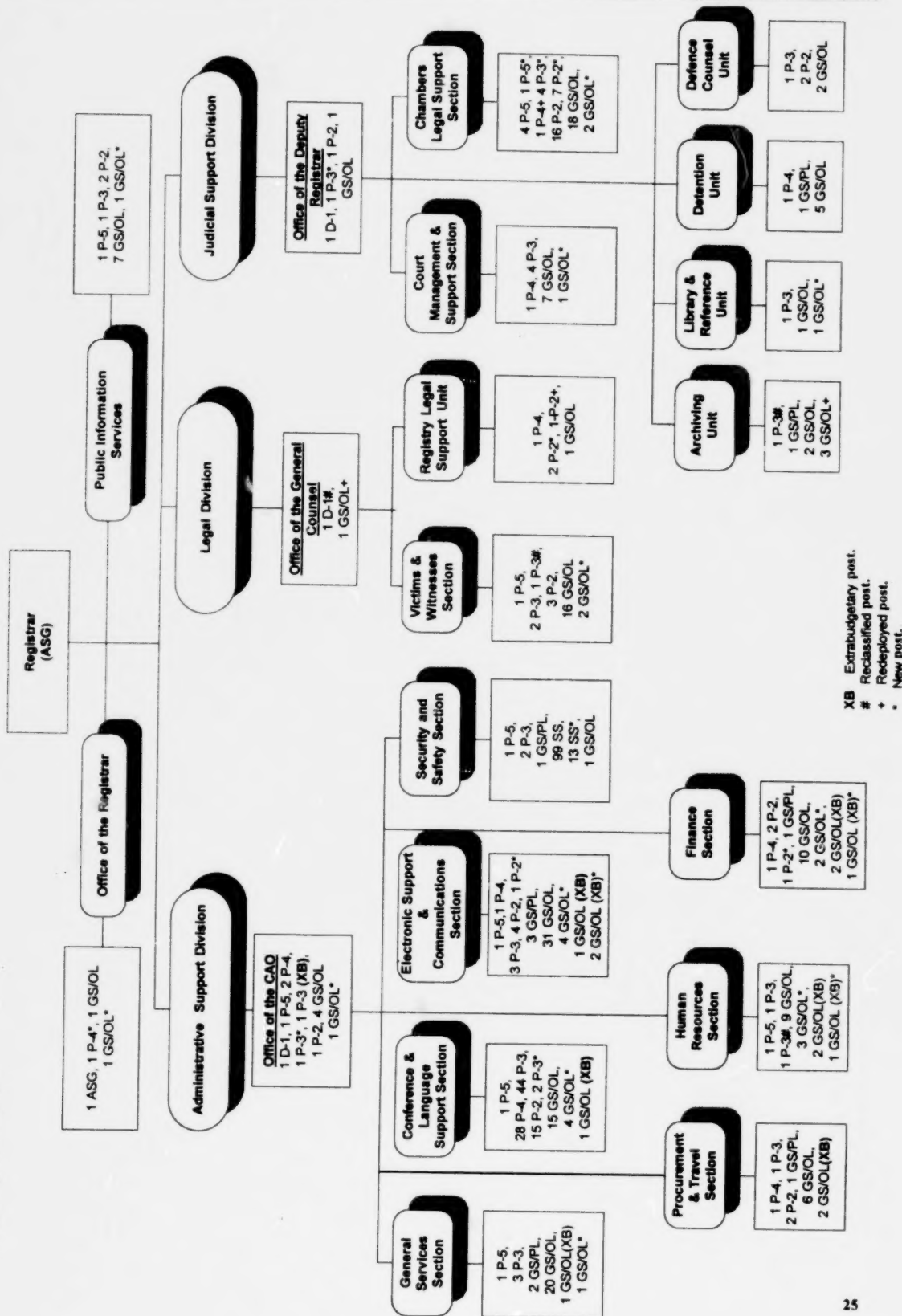
I. Office of the Prosecutor Information and Evidence Section, 2000



* New post.
+ Redeployed post.
Reclassified post.

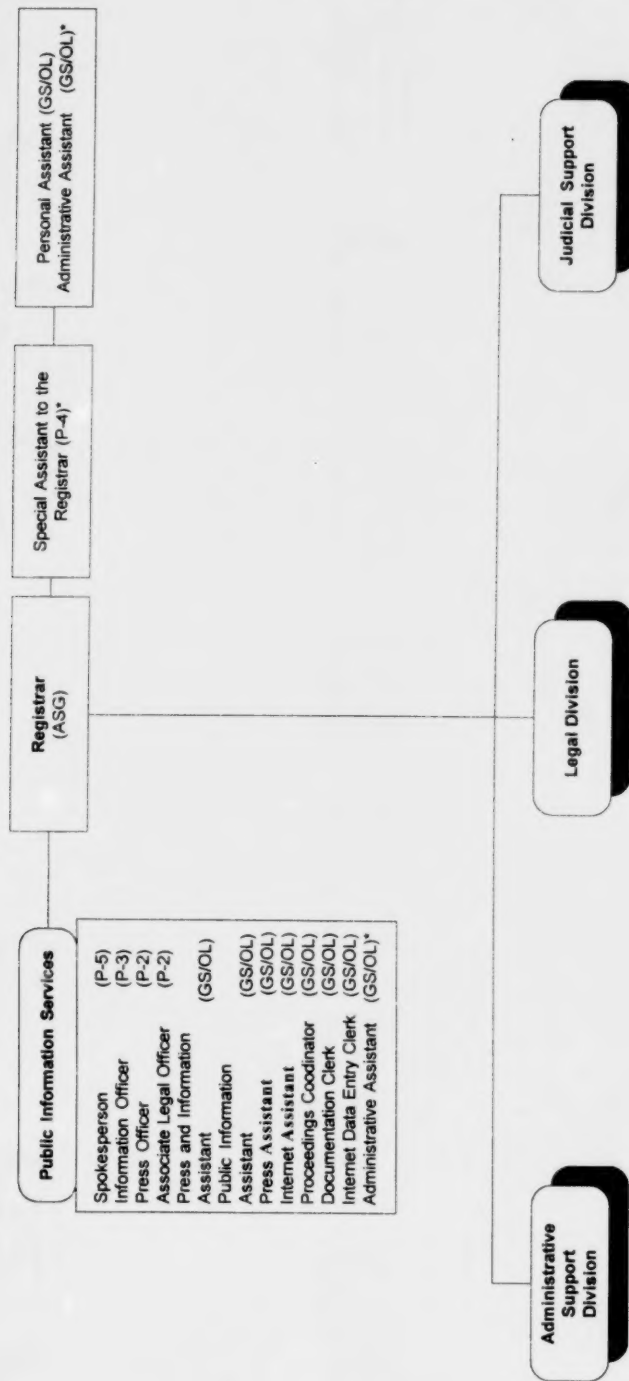
J. Registry Posts by office, 2000

A/54/645



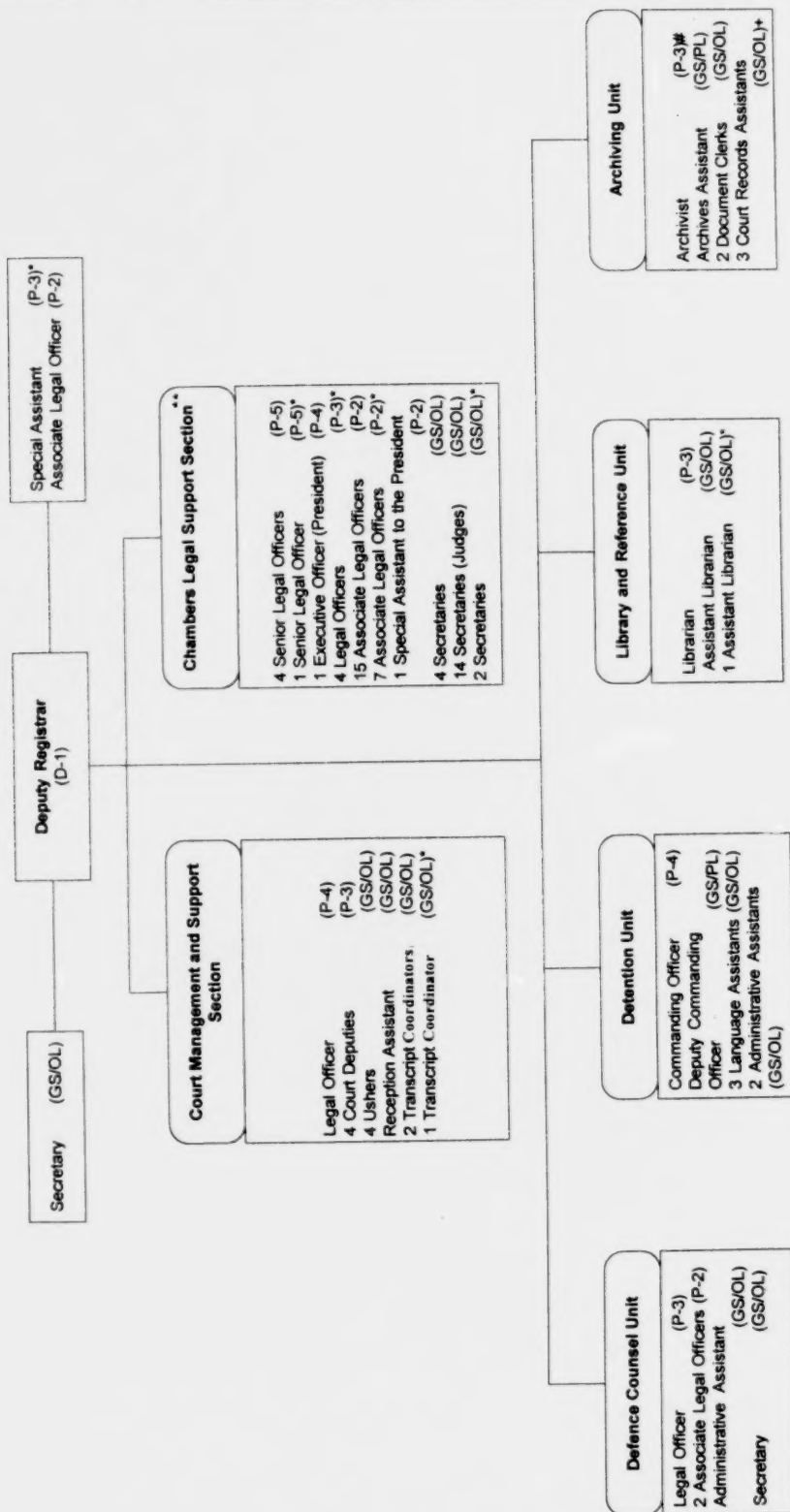
XB Extrabudgetary post.
Reclassified post.
+ Redeployed post.
* New post.

**K. Registry
Office of the Registrar
Public Information Services, 2000**



* New post.
Reclassified post.
+ Redeployed post.

**L. Registry
Judicial Support Division, 2000**

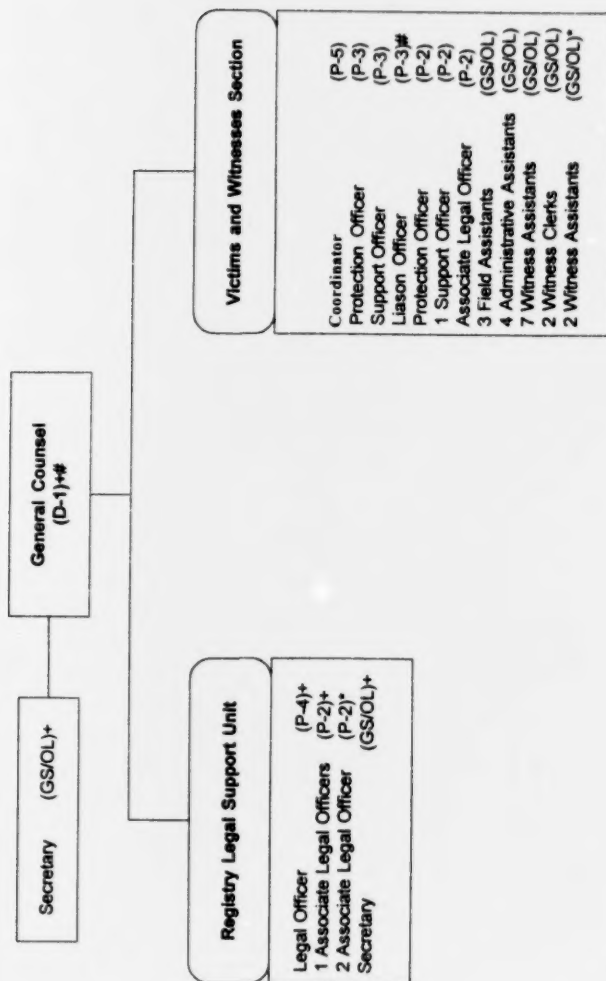


****Please see annex II.C for detailed assignment of the
Chambers Legal Support Section.**

- New post.
- + Redeployed post.
- # Reclassified post.

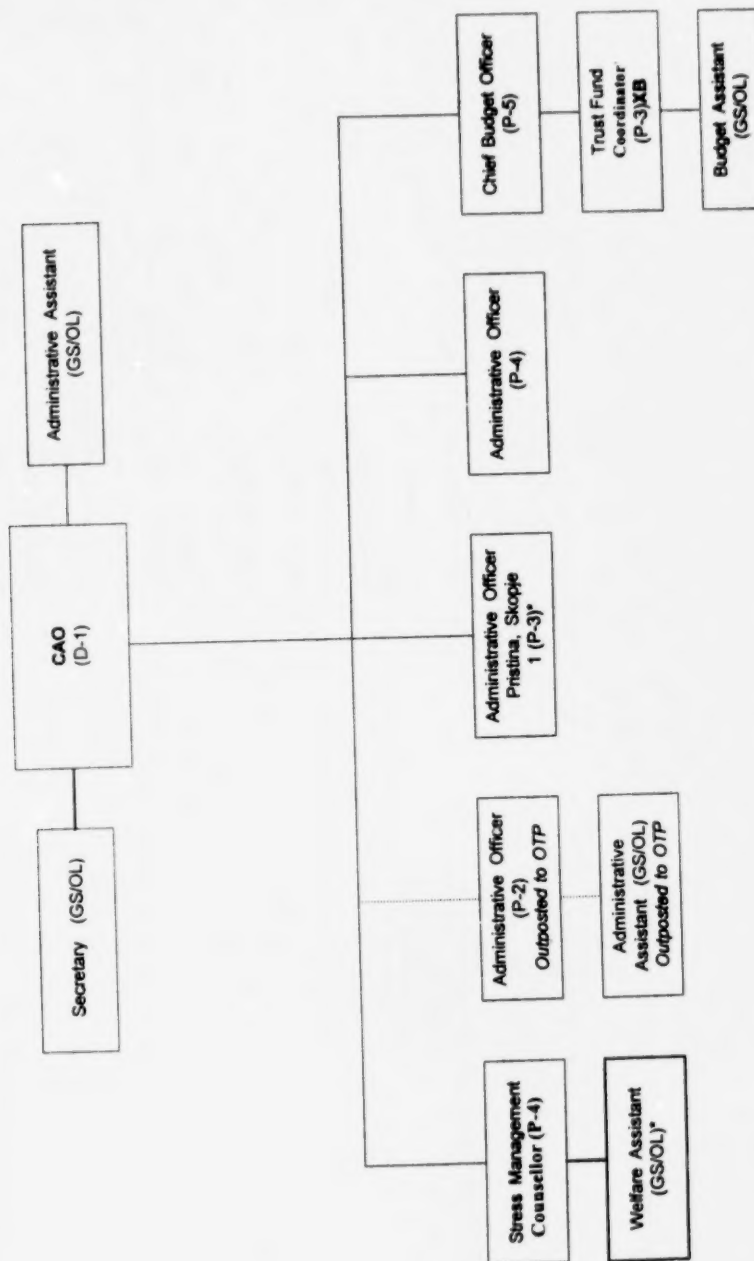
**M. Registry
Legal Division, 2000**

28



- * New post.
- + Redeployed post.
- # Reclassified post.

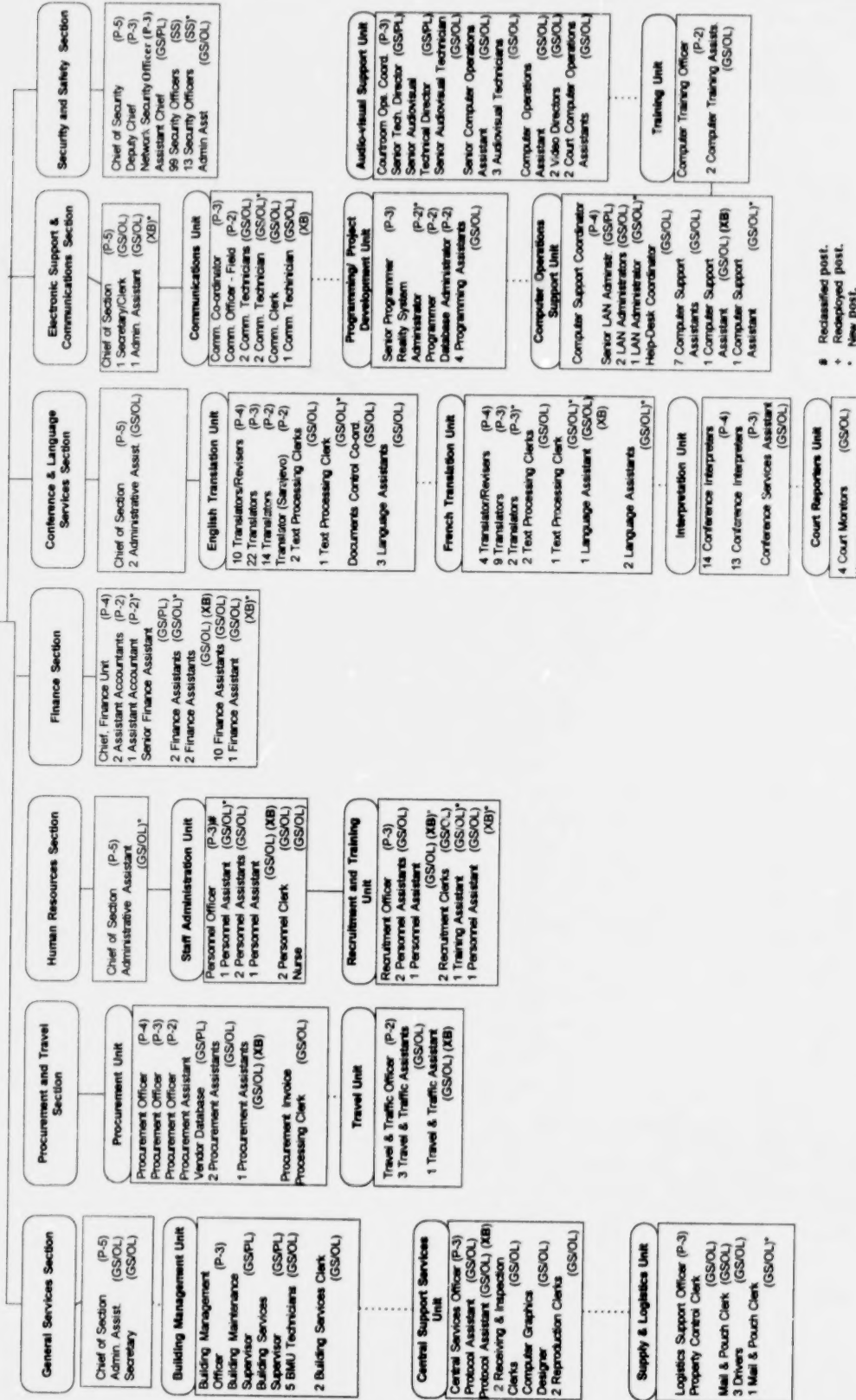
**N. Registry
Office of the Chief Administrative Officer, 2000**



XB Extrabudgetary post.
 * Reclassified post.
 + Redeployed post.
 • New post.

O. Registry **Administrative Support Division, 2000**

30



Annex III

Statistics for authorized posts for the International Tribunal for the Former Yugoslavia by office, category and grade

(as at 23 November 1999)

<i>Grade</i>	<i>Authorized</i>	<i>Encumbered</i>	<i>Vacant</i>	<i>Vacancy rate (percentage)</i>
Office of the Prosecutor				
Immediate office of the Prosecutor	19	16	3	15.8
Subtotal for Division	19	16	3	15.8
Prosecution Division				
Office of the Chief, Prosecution Division	39	39		0.0
Trial Section	16	15	1	6.3
Team Legal Advisers Unit	14	13	1	7.1
Legal Advisory Section	10	9	1	10.0
Subtotal	79	76	3	3.8
Investigation Division				
Office of the Chief, Investigation Division	28	27	1	3.6
Criminal Investigation Section I	31	28	3	9.7
Criminal Investigation Section II	29	28	1	3.4
Criminal Investigation Section III	41	36	5	12.2
Leadership Research Section	12	12		0.0
Military Analysis Section	13	12	1	7.7
Operations Section	27	22	5	18.5
Kosovo operations, general temporary assistance				0.0
Subtotal	181	165	16	8.8
Information and Evidence Section				
Information and Evidence Section	67	62	5	7.5
Subtotal	67	62	5	7.5
Subtotal for the Office of the Prosecutor	346	319	27	7.8
Registry				
Office of the Registrar				
Office of the Registrar	4	4		0.0
Public Information Unit	11	11		0.0
Security and Safety Section	104	100	4	3.8
Registry Legal Support Unit	4	4		0.0
Subtotal	123	119	4	3.3

<i>Grade</i>	<i>Authorized</i>	<i>Encumbered</i>	<i>Vacant</i>	<i>Vacancy rate (percentage)</i>
Judicial Support Services Division				
Office of the Deputy Registrar	3	3		0.0
Chambers Legal Support Section	38	38		0.0
Victims and Witnesses Section	23	21	2	8.7
Court Management and Support Section	15	12	3	20.0
Detention Unit	7	5	2	28.6
Defence Counsel Unit	5	5		0.0
Library and Reference Unit	2	2		0.0
Archiving Unit	4	4		0.0
Subtotal	97	90	7	7.2
Administration Division				
Office of the Chief Administrative Officer	9	9		0.0
Human Resources Section	12	11	1	8.3
Finance Section	14	14		0.0
General Services Section	26	25	1	3.8
Electronic Support and Communications Section	43	38	5	11.6
Conference and Language Support Section	103	90	13	12.6
Procurement and Travel Section	11	10	1	9.1
Subtotal for Division	218	197	21	9.6
Subtotal for the Registry	438	406	32	7.3
Total	784	725	59	7.5



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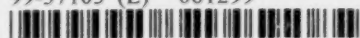
Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Proposed requirements for the International Criminal Tribunal for Rwanda for 2000

Report of the Advisory Committee on Administrative and Budgetary Questions

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I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the budget performance for 1998 (A/54/496 and Corr.1) and an advance version of the Secretary-General's report on the financing for 2000 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (A/54/521). It also considered the report of the Secretary-General on the conditions of service for judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/C.5/54/30). During its consideration of the matter, the Committee met with the Prosecutor and a representative of the Registrar of the International Criminal Tribunal for Rwanda and with representatives of the Secretary-General who provided additional information.

2. The Committee points out that it had to consider the report of the Secretary-General on the International Criminal Tribunal for Rwanda under great pressure of time and that it has operated under these constraints for a number of years. The Committee stresses the importance of receiving these budget estimates no later than 1 October of the year during which the estimates are considered.

3. The Committee had to consider the estimates without the benefit of the results of the report of the Expert Group to conduct a Review of the Effective Operation and Functioning of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda requested by the General Assembly in its resolution 53/212 of 18 December 1998 (A/54/634). The report of the experts was transmitted to the Committee by the Secretary-General on 17 November 1999. In the opinion of the Advisory Committee, the report should be submitted to the Tribunals, which should then indicate which of the recommendations are being or will be implemented, or which of them cannot be implemented. The Advisory Committee will revert to the matter on the basis of those indications at the first part of the fifty-fifth session of the General Assembly.

II. Performance report for 1998

4. Upon enquiry, the Advisory Committee was informed that, as at 30 September 1999, total actual expenditure since the inception of the Tribunal in 1995 amounts to \$179,042,800, including projections for 1999 of \$66,218,200. The Committee was also informed that the total number of persons in custody as of November 1999 were 39, of whom 5 were convicted prisoners. The Committee notes from paragraph 13 of the report of the Secretary-General (A/54/521) that the total number of trial judgements rendered by the Tribunal is four. In this connection, the Committee was informed that the Secretary-General invited the Governments of different countries to indicate whether they would be prepared to cooperate in the enforcement of prison sentences. The Committee was further informed that negotiations are under way with 10 countries, including the Republic of Mali and the Republic of Benin, with whom agreements have already been concluded, for acceptance of convicts (see also para. 68 below).

5. The revised appropriation for 1998 totalled \$52,297,900 gross (\$48,043,400 net). Expenditure amounted to \$54,509,900 gross (\$50,430,000 net), resulting in an over-expenditure of \$2,212,000 gross (\$2,386,600 net). The Advisory Committee notes from the report of the Secretary-General (A/54/496, para. 9) that the amount of \$2,212,000 gross (\$2,386,600 net) has been charged to the 1999 appropriations. Upon enquiry, the Committee was informed that total unliquidated obligations as at 30 September 1999 amounts to \$5,314,518. The Committee notes with concern the apparently high level of unliquidated obligations, and trusts that effective measures will be taken to review the status of obligations more frequently.

6. In the opinion of the Advisory Committee, the size of the over-expenditure for 1998 (see para. 5 above) indicates that there is a need for better forecasting of the requirements of the Tribunal. For example, in the opinion of the Advisory Committee, the additional space for detention facilities should have been foreseen and budgeted for (A/54/496, para. 18). Similarly, the over-expenditure under staff costs could have been minimized by a better calculation of the vacancy rate at the time of submitting revised estimates in October 1998. The date of submission of the revised estimates, that is, two months before the end of the budget year, should have enabled the Tribunal to have a better estimate of the requirements for 1998. This indicates the extent to which the Tribunal needs to improve its capacity for budget monitoring and accounting for expenditure.

7. In paragraph 10 of its report (A/53/659), the Advisory Committee expressed concern at the time it had taken to account and record expenditure and the fact that payroll functions were divided between New York and Arusha. The Advisory Committee notes from the report of the Secretary-General (A/54/496, para. 9) that expenditures reported in October 1998 for 1998 were based on accounting records as at 30 June 1998.

8. Upon enquiry, the Advisory Committee was informed that the situation indicated in its report to the General Assembly at its fifty-third session has not changed. The information on projected expenditure given to the Advisory Committee for 1999 as at 11 November 1999 was still based on data as at 30 June 1999. The representatives of the Tribunal expressed considerable frustration over the time it has taken to delegate to the Tribunal the full authority to manage the payroll functions. They pointed out a number of difficulties, including delays in receipt of payments and allowances for internationally recruited staff. The Advisory Committee also concluded from the testimony of the representatives of the Tribunal that there is a need to streamline considerably the system of handling inter-office vouchers related to the Tribunal's expenses.

9. The Advisory Committee considers that this situation is no longer acceptable and requests the Secretariat to provide full justification to the General Assembly at the time the Fifth Committee considers the estimates of the Tribunal. Justification should be given in specific terms as to why it has taken so long to delegate to the Tribunal functions that are already delegated to the International Tribunal for the Former Yugoslavia.

III. Financial requirements for 2000

10. As indicated in paragraph 8 of the report of the Secretary-General (A/54/521), the overall level of resources proposed for 2000 amounts to \$87,819,400 gross (\$79,753,900 net), reflecting a growth of \$12,558,800 gross (\$11,222,000 net) or 16.4 per cent, when compared with the 1999 appropriation of \$75,260,600 gross (\$68,531,900 net). Extrabudgetary resources projected for 2000 amount to \$1,154,000. Tables 1 and 2 of document A/54/521 provide a summary of the requirements.

11. The Advisory Committee notes (*ibid.*, para. 8) that the level of resources requested is based on the needs in connection with the functioning of the three Trial Chambers, stepped up activities in investigation, arrest and detentions

and major enhancements envisaged for the delivery of support services.

12. The proposed staffing table for 2000 comprises 832 assessed budget posts, reflecting an increase of 60 posts (7 for the Office of the Prosecutor and 53 for the Registry) over the authorized level for 1999 of 772. The Advisory Committee recalls that, for 1999, the initial number of posts requested in table 4 of the report of the Secretary-General (A/C.5/53/15) totalled 838 including 256 additional posts. The Committee did not recommend approval of 59 posts for 1999 (A/53/659, para. 83). The details of requests for posts are provided in annex II to the report of the Secretary-General (A/54/521). The Advisory Committee recommends that for the next budget submission, an additional column should be included in all staffing tables showing the existing authorized number of posts. As discussed below, for 2000, the Advisory Committee recommends approval of seven additional posts for the Office of the Prosecutor and 31 for the Registry. The Committee recommends against approval of 22 additional posts in the Registry for 2000. In addition, the Committee recommends acceptance of one reclassification for a post in the Registry.

13. The level of staff costs has been affected by the decision to reclassify Arusha from a category B to a category C duty station as well as the parameters used to calculate standard salary costs (A/54/521, para. 8 and annex I). Upon enquiry, the Advisory Committee was informed that, in accordance with ST/AI/280/Rev.6, reclassifying Arusha from category B to C would involve additional entitlements for such items as home leave travel, education grant travel and reimbursement of boarding costs and special shipping entitlements.

14. There are no extrabudgetary posts in table 3 (staffing) of the report of the Secretary-General (A/54/521). Table 3 of that report shows that 9 extrabudgetary posts have been eliminated. The Advisory Committee was informed that these positions had been transferred into the assessed budget in the context of the budget proposals for 2000. The Advisory Committee notes from paragraph 5 of annex II to document A/54/521 that the funding of posts from extrabudgetary resources would be discontinued, owing to lack of contributions. In this connection, the Advisory Committee notes that a total of 41 extrabudgetary posts were shown in table 4 of document A/C.5/53/15. Upon enquiry, the Committee was informed that, of these 41 extrabudgetary posts, only 26 were encumbered during 1998, thus eliminating the remaining 15. Upon enquiry, the Committee was also informed, that in 1999, only 9 posts are being

funded from extrabudgetary resources, as reflected in table 3 of document A/54/521.

15. The Advisory Committee notes from annex VI to the report of the Secretary-General (A/54/521) that extrabudgetary resources of the Tribunal from inception totalled \$7,848,999. The Committee also notes with concern the gap between the level of voluntary contributions for the Tribunal for the Former Yugoslavia and the Tribunal for Rwanda as reflected in the information in the respective budget documents.

16. The Advisory Committee notes from paragraph 6 of annex II to the report of the Secretary-General (A/54/521), the situation regarding the employment of local staff. The Committee recalls that it has been the policy of the General Assembly, in particular for peacekeeping operations, to encourage the use of local staff service to the maximum extent possible within the overall authorized level of staff resources, due regard being paid to the need to maintain United Nations standards. The Advisory Committee recommends that the Tribunal discuss the problem identified in paragraph 6 with relevant host Government authorities, with a view to seeking advice and assistance in obtaining additional local staff for the Tribunal's needs.

17. With respect to the growth of the Tribunal's budget, the Advisory Committee sought additional information about future activities. The Committee was informed that, in general, the International Criminal Tribunal for Rwanda does not expect any major increase in personnel requirements in the future. However, the Tribunal may have to anticipate some increase in its requirements based on an expected 100 arrests or indictments; of these nine suspects are still at large and 45 are still to be tracked down. In anticipation of the targeted arrests, resources would be required for the expansion of the United Nations Detention Facilities.

18. Paragraphs 1 to 8 of the report of the Secretary-General (A/54/521) contain a summary of recent developments and achievements of the Tribunal. In this connection, the Advisory Committee notes that a number of measures have been taken to increase the capacity of the Tribunal to discharge its mandate. The Committee welcomes the steps taken to improve the functioning of the administrative and judicial support areas, resulting in marked improvements in staff performance and morale (para.5).

19. The Advisory Committee also welcomes the steps taken, as summarized in paragraph 7 of the report of the Secretary-General (A/54/521), to address the high vacancy rate at the Tribunal in response to the concerns expressed by the Advisory Committee in paragraphs 8 and 9 of its report (A/53/659). As detailed in annex VII.A of the report of the

Secretary-General (A/54/521), a Task Force on recruitment for the Tribunal was appointed with the assistance of the Department of Management. As a result, with 277 vacant posts as at 1 January 1999, a total of 100 new staff members had joined the Tribunal as at 31 August 1999, thus reducing the vacancy rate to 23.3 per cent. The Advisory Committee notes from paragraph 7 of document A/54/521 that the processing of another 106 posts has since been finalized and efforts are being made to ensure that these staff members report to duty before the end of the year.

20. The Advisory Committee commends the work of the Task Force. The Committee notes from paragraph 7 of the report of the Secretary-General (A/54/521) that the vacancy rate of 35 per cent as of the beginning of 1999 has been systematically reduced and is expected to fall to the normal attrition rate of 5 to 7 per cent by the end of the year. However, information provided to the Advisory Committee leads it to conclude that this expectation is optimistic. Upon enquiry, the Committee was informed that the vacancy rate at the time of review by the Advisory Committee had been 19 per cent. As indicated by the Task Force in paragraph 8 of annex VII.A to document A/54/521 and stressed by representatives of the Tribunal, not all selected candidates agreed to report for duty with the Tribunal. For example, from 1 January to 31 August 1999, 26 selected candidates failed to report on duty.

21. In view of the statement in paragraph 3 of annex VI to the report of the Secretary-General (A/54/521) that a voluntary contribution was received in 1999 for the Recruitment Task Force, the Advisory Committee sought information on the activities of the Task Force. The Advisory Committee was informed that the activities of the Task Force ended on 19 September 1999 and that the Head of the Task Force returned to his duty station. However, in order to provide further assistance to the Personnel Section, and also to carry out the process of filling the remaining vacant posts, the Tribunal has retained the services of a recruitment officer and two personnel assistants for a further period of three months. In this connection, the Committee questions the rationale for relying on voluntary contributions for this important management function, and is of the view that the work of the Task Force should be funded from the assessed budget of the Tribunal.

22. The main reasons for the request for additional posts are explained in paragraph 2 of annex II to the report of the Secretary-General (A/54/521). It is indicated that developments in 1999 have contributed to the need for additional posts in 2000. These developments include the operation of three Trial Chambers, installation of audio-video equipment in two of the three courtrooms, the

decision to allow joint trial of cases and increased workload in the Security, Language, Court Management, Chambers, Communications/Electronic Data Processing and General Services Sections. The Advisory Committee notes from paragraph 4 of annex II to the same report that a number of services were delivered in 1999 through redeployment of staff and that the request for additional staff is to rectify this situation. The Committee points out, however, that it is not possible to determine the actual number of additional posts until the Tribunal reduces considerably the vacancy rate. Only after experiencing the effect of using the full capacity of all authorized posts would the Tribunal be able to evaluate the need for additional requirements. The Advisory Committee has borne this fact in mind in its recommendations in relation to posts for the International Criminal Tribunal for Rwanda.

23. With regard to presentation, the Advisory Committee welcomes the information contained in annex VII to the report of the Secretary-General (A/54/521) on the implementation of recommendations of the Advisory Committee. In future, the Committee requests that an indication be given as to whether or not there are also recommendations of the Board of Auditors and the Office of Internal Oversight Services to be reported on. In terms of workload indicators, the Advisory Committee is of the view that, even though there has been some improvements, there is a need for more to be done. In particular, a mere presentation of workload statistics is not of much help to the Advisory Committee nor to the General Assembly. The indicators need to be analysed; the result of that analysis would then form the basis of support of the resources requested for the estimate. This approach would at least make the indicators more meaningful than at present, when in a number of instances more resources are requested, even though indicators show no marked increases or, in some instances, show decreases. In addition, the presentation of indicators in tables should be consistent with the presentation in narratives. The Advisory Committee also requests that the information on miscellaneous income be reflected in the summary of requirements table (table I) of document A/54/521. Furthermore, when reporting on voluntary contributions received, information on related total expenditure should also be provided.

A. Chambers

24. An amount of \$1,792,300 net is proposed for the Chambers for 2000, reflecting an increase of \$27,600, when compared with an appropriation of \$1,764,700 net for 1999.

The estimate is explained in paragraph 10 to 18 of the report of the Secretary-General (A/54/521). The Advisory Committee notes from paragraph 12 of that report that the decision to introduce joint trials and to consider motions solely on the briefs filed by the parties should contribute to efforts to speed up trials, as well as optimize the operational costs of the Tribunal.

25. In paragraph 14 of the report of the Secretary-General (A/54/521), the Advisory Committee notes the statement regarding the increased workload of the Trial Chambers in 2000, resulting from more detentions, more trials of cases and the intensification of the appeals process. The Committee is aware that resources requested under the Chambers, the Office of the Prosecutor and the Registry are to address these activities. However, the Advisory Committee is of the view that a mere increase of resources for the Tribunal would not significantly alleviate the situation, unless corresponding judicial measures are taken. The Advisory Committee notes that the Expert Group has given advice on what further measures need to be taken to speed up trials and reduce the length of time suspects are detained while awaiting trial.

26. The Advisory Committee notes from paragraph 17 of the report of the Secretary-General (A/54/521) that salaries and allowances of judges, amounting to \$1,678,300 would have to be adjusted pursuant to the decisions of the General Assembly on the conditions of service, as proposed by the Secretary-General (A/C.5/54/30) and as recommended by the Advisory Committee in paragraph 75 below.

27. An amount of \$114,000 is requested for travel in paragraph 18 of the report of the Secretary-General (A/54/521). Included in the estimate is an amount of \$24,000 for travel of judges and legal officers to represent the Tribunal at meetings with government officials, regional and international meetings or seminars. The Advisory Committee sought additional information on the nature and purpose of travel and was provided with the information contained in the annex to the present document.

28. The Advisory Committee questions the appropriateness of the absence of judges of the Tribunal to attend meetings at times that could interfere with the immediate judicial work of the Trial Chambers. The Committee also notes that, in addition to judges, legal assistants also undertake travel. It is the opinion of the Advisory Committee that, if the subjects of the meetings are considered worth attending, the related expenses should be born by the authorities that extend the invitations. Under the circumstances, the Committee recommends against the request for \$24,000.

29. Subject to its comments in paragraph 26 above, the Advisory Committee recommends acceptance of the Secretary-General's proposals for the Chambers.

B. Office of the Prosecutor

30. The estimate for the Office of the Prosecutor for 2000 is set at \$22,436,500 gross (\$19,590,600 net) and reflects an increase of \$3,373,600 gross (\$2,850,300 net) when compared with the appropriation of \$19,062,900 gross (\$16,740,300 net) for 1999 (A/54/521, table 5, refers). The number of temporary posts for the year 2000 total 197 and reflect an increase of 7 posts when compared with 190 for 1999 (A/54/521, table 6, refers). The basis for the proposed 7 posts is provided in paragraph 31 and supplemented with further information and justification, as contained in paragraphs 8 to 24 of annex II to the report. The Advisory Committee notes that the proposed posts would provide additional support for investigation activities and for the increase in the number of trials and appeals, both interlocutory and on the merits of cases.

31. The workload indicators for the Office of the Prosecutor are contained in annex V to the report of the Secretary-General (A/54/521). The Advisory Committee points out that the request for additional resources would not be justified if one were to look at the face value of some of the indicators projected for 2000. There is no change, for example, in the number of investigations, public indictments, trials prosecuted and trials completed. Indeed, there is a decrease in the number of trials under preparation and there is no change in the number of investigations. Nevertheless, careful analysis of all the available data would support the conclusion that the related resources need to be increased. Accordingly, as indicated in paragraph 21 above, for the future, these indicators should be carefully analysed in order to serve as a basis of support for the request for resources, not only for the Office of the Prosecutor, but also for the other organs of the Tribunal.

32. The Advisory Committee notes from annex III to the report of the Secretary-General (A/54/521) that, as at August 1999, out of 190 posts authorized for the Office of the Prosecutor for 1999, 122 were encumbered, and that the vacancy rate was almost 36 per cent. The latest information provided to the Committee indicates that as at October 1999, the vacancy rate was 26.8 per cent. Seven additional posts are requested for the Office, as follows: one (P-3) for archival services at Kigali, four (2 P-4 and 2 P-3) to strengthen the trial and appeals process and two (1 P-5 and 1 P-4) to strengthen investigation activities (A/54/521,

annex II, paras. 12, 16 and 22). In the opinion of the Advisory Committee, it would not be advisable to delay to 2001 the process of strengthening these areas. Under the circumstances, the Committee recommends acceptance of the seven new posts requested for the Office of the Prosecutor.

C. Registry

33. As indicated in table 7 of the report of the Secretary-General (A/54/521), the resource requirements for the Registry for 2000 amount to \$63,590,600 gross (\$58,371,000 net), reflecting an increase of \$9,157,600 gross (\$8,344,100 net) when compared with an appropriation of \$54,433,000 gross (\$50,026,900 net) for 1999. In addition, it is estimated that \$1,154,000 net will be administered by the Registry as extrabudgetary resources, reflecting an increase of \$169,800 net when compared with the amount of \$984,200 net for 1999.

34. With regard to staff resources for the Registry for 2000, the Advisory Committee notes from table 8 of the same report of the Secretary-General that 635 posts are proposed (163 in the Professional category and above, 128 General Service, 24 Field Service, 82 Security Service and 238 Local level posts), of which 582 are continuing temporary posts, 53 new temporary posts and 1 reclassification. The Committee also notes from the same table that 9 extrabudgetary posts are abolished for 2000 (see also para. 14 above).

35. The basis of the request for additional posts is summarized in paragraph 47 of the report of the Secretary-General (A/54/521) and supplemented with detailed justification in paragraphs 25 to 105 of annex II to the report.

36. In examining the request for posts for the Registry, the Advisory Committee has taken into account the justifications offered, as well as the current vacancy situation in the Registry. The Committee notes from annex I to its report (A/53/659) that, as of August 1998, the vacancy rate for the Registry was 25.6 per cent. As indicated in annex III to the report of the Secretary-General (A/54/521), the vacancy rate for the Registry was 19.2 per cent as at the end of August 1999. Upon enquiry, the Committee was informed that, as at the end of October 1999, the vacancy rate was 16.8 per cent. However, in the Professional and higher categories, the vacancy rates were 34.5 and 28.0 per cent as at August 1998 and August 1999, respectively. There has therefore been progress in reducing the vacancy rate in the Registry.

37. For the immediate office of the Registrar, four additional posts are requested (2 P-3, 1 General Service and 1 Local level post). The justification is contained in paragraphs 25 to 30 of annex II to the report of the Secretary-General (A/54/521). Taking into account the number of posts available for this office, the Advisory Committee recommends acceptance of the two P-3 posts and one Local level post. The functions to be assigned to the proposed General Service post should be performed by the existing General Service personnel in the office.

38. With regard to the immediate office of the Deputy Registrar, the Advisory Committee agrees with the proposal to redeploy to the office a General Service post from the Witness and Victims Support Services, Kigali, but it does not support the request for a new General Service post (A/54/521, annex II, paras. 32-33, refer).

39. In connection with the Chambers Support Section, the request for three additional posts (1 P-5, 1 P-2 and 1 General Service) is explained in detail in paragraphs 34 to 42 of annex II to the report of the Secretary-General (A/54/521). It is also proposed that a P-2 post be reclassified to the P-3 level. These posts are to assist the President and judges in the preparation of judgements and to support appeals activities (see A/54/521, annex II, paras. 37 and 42). The Advisory Committee recommends acceptance of these requests.

40. The Advisory Committee notes from paragraph 44 of annex II to the report of the Secretary-General (A/54/521) that the General Legal Services Section is currently handled by two P-3 legal officers and two General Service staff. The Committee recommends approval of the request for a P-5 post to accommodate the position of senior legal adviser/Chief of Section. The Advisory Committee points out that, as regards the International Tribunal for the Former Yugoslavia, it has not accepted the proposal to reclassify a P-5 level post to the D-1 level for this function. The Committee is not convinced of the need for a new General Service post. The Advisory Committee notes that the section has a bilingual secretary and one bilingual typist. This should provide adequate support to the three Professional positions in the section.

41. The additional staff proposals for the Court Management Section are explained in paragraphs 45 to 53 of the report of the Secretary-General (A/54/521). A total of six new posts (3 P-2, 2 General Service and 1 Local level post) are requested. Two P-2 posts are requested for court reporting and one P-2 post is for automating court records (see A/54/521, annex II, paras. 52 and 49). The Advisory

Committee recommends acceptance of these requests. The Committee also recommends acceptance of one Local level post. However, the Committee does not recommend approval of the two General Service posts requested in paragraphs 50 and 52 of annex II to document A/54/521, since it appears that an attempt is being made to establish a one-to-one ratio between Professional and General Service posts. The Advisory Committee recommends that the related functions be performed through the redeployment of staff.

42. For the Witness and Victims Support Section, the Advisory Committee notes from paragraph 58 of annex II to the report of the Secretary-General (A/54/521) that a new P-3 post and the redeployment of two General Service posts from Kigali are proposed for Arusha. For the reasons stated in paragraphs 56 and 57 of annex II to document A/54/521, the Committee recommends approval of these proposals. The Committee also recommends approval of the redeployment of the posts mentioned in paragraph 60 of annex II to document A/54/521.

43. The Advisory Committee does not share the view that the increase in the number of detainees from the current 38 to 50 should immediately require an increase in the number of administrative assistants from two to three, as proposed in paragraph 62 of annex II to the report of the Secretary-General (A/54/521). Furthermore, the Committee cautions against the tendency to request additional resources in all situations in anticipation of increased workload. Accordingly, the Advisory Committee does not recommend approval of the additional new General Service post requested in paragraph 62 of annex II to document A/54/521.

44. The Advisory Committee notes from paragraph 66 of annex II to the report of the Secretary-General (A/54/521) that three new posts (1 P-2 and 2 General Service) are requested for the Legal Library and Reference Unit. These would be in addition to the current establishment of five posts (1 P-3, 1 P-2 and 1 General Service and 2 Local level posts). Upon enquiry, the Committee was informed that, of the current establishment, three posts (one P-3, one General Service and one Local level staff) are at Arusha, while two (one P-2 and one General Service) are at Kigali. In view of the redeployment of legal, administrative and other functions from Kigali to Arusha, the Committee sees no justification to increase the number of posts allocated to the Kigali library services. Likewise, the Committee does not recommend approval of the General Service post of Reference Library Assistant for Kigali requested in paragraph 66 of annex II to document A/54/521. The Advisory Committee recommends approval of a P-2 post for an Information Librarian for the Arusha Unit. However, it does not

recommend approval of the General Service post for a bilingual Secretary.

45. As can be seen from the table in paragraph 47 of the report of the Secretary-General (A/54/521), a total of 32 new posts are requested for the Administrative Services Division. The Advisory Committee recommends that, for the next budget submission, an additional column be included in all staffing tables showing the existing authorized number of posts.

46. One General Service post is requested in paragraph 69 of annex II to the report of the Secretary-General (A/54/521) for a nurse at Arusha. The Advisory Committee recommends approval of this post.

47. The Advisory Committee notes from paragraph 71 of annex II to the report of the Secretary-General (A/54/521) that the Personnel Section comprises 13 posts (1 P-5, 3 P-3, 5 General Service and 4 Local level). The Committee also notes from paragraph 72 of annex II to document A/54/521 that nine posts were redeployed to the section in 1999, and that temporary assistance was used to supplement services provided through established posts. The Advisory Committee therefore sees no immediate need to add a new General Service post for a personnel assistant, as requested in paragraph 73 of annex II to document A/54/521.

48. Thirteen posts (1 P-5, 1 P-4, 1 P-3, 1 P-2, 7 General Service and 2 Local level staff) are currently provided for in paragraph 75 of annex II to the report of the Secretary-General (A/54/521) for the Finance Section. Upon enquiry, the Committee was informed that recruitment was under way for the only vacant P-3 post in the Finance Section. The Advisory Committee is of the view that this is an area where automation could increase productivity and thereby alleviate growth in the number of posts. Accordingly, the Committee recommends approval of two additional posts (1 General Service and 1 Local level) instead of the four (1 General Service and 3 Local level) posts requested in paragraph 77 of annex II to document A/54/521.

49. A request is made in paragraph 82 of annex II to the report of the Secretary-General (A/54/521) to redeploy two Field Service posts from the Communications Unit to the Building Management Unit. The Advisory Committee recommends approval of this request.

50. For the Communications Unit, the Advisory Committee agrees with the request for three new Field Service posts explained in paragraph 85 of annex II to the report of the Secretary-General (A/54/521) for three

technicians to operate the new audio-video equipment for the three Trial Chambers of the Tribunal.

51. With regard to the Electronic Data Processing/Management Information Systems Unit, the Advisory Committee notes from paragraph 87 of annex II to the report of the Secretary-General (A/54/521) that there is currently a total of 11 posts (1 P-3, 2 P-2, 3 General Service and 5 Local level). It is proposed that the number of posts be increased by seven (5 General Service and 2 Local level), from 11 to 18, as explained in paragraph 88 of annex II to document A/54/521. It is not clear from the estimate how the increased number was arrived at. Upon enquiry, the Committee was informed that recruitment was under way for the four vacant posts (two P-2 and two Local level). Accordingly, of the seven additional posts, the Advisory Committee recommends approval of four posts (3 General Service and 1 Local level); thus, the total number of posts for the Unit would be 15, instead of the proposed 18.

52. In connection with the Transport Unit, one Field Service post and two General Service (Local level) posts are requested in paragraph 90 of annex II to the report of the Secretary-General (A/54/521) for the establishment of a workshop and spare parts store at Arusha. The Advisory Committee recalls that this service was first proposed in the budget submission for 1999. In paragraphs 68 and 69 of its report (A/53/659), the Committee requested a cost-benefit analysis of the project. The result of the analysis, which is contained in annex VII.B of document A/54/521 is that it would be cheaper for the Tribunal to own and operate its own workshop and spare parts store than to outsource those functions to local contractors. Accordingly, the Advisory Committee recommends acceptance of the three posts requested in paragraph 90 of annex II to document A/54/521 for a mechanic/spare parts supervisor, and two mechanics/auto electricians.

53. In paragraph 92 of annex II to the report of the Secretary-General (A/54/521), it is proposed that one Field Service post be redeployed from the Communications Unit to the Other General Services Unit. The Advisory Committee recommends approval of that request.

54. The Advisory Committee is not convinced of the need for the additional two posts (1 P-2 and 1 Local level) requested in paragraph 95 of annex II to the report of the Secretary-General for a social affairs officer and a nurse for the welfare and for monitoring the health of detainees. These functions should be carried out either by existing staff or through redeployment.

55. Five language posts (1 P-3 and 4 General Service) are requested and explained in paragraphs 96 to 100 of annex II

to the report of the Secretary-General (A/54/521) for a translator/interpreter at The Hague and bilingual secretaries. The additional language posts are for strengthening translation/interpretation for appeals activities and for the three Trial Chambers. The Advisory Committee notes with concern the statement in paragraph 100 of annex II to document A/54/521 that shortage of staff delayed completion of tasks, including decisions, judgements and appeals. The Committee was informed that lack of sufficient staff resources at The Hague is delaying the processing of material related to the International Criminal Tribunal for Rwanda, since the International Tribunal for the Former Yugoslavia gives priority to its own language services. Upon enquiry, the Committee was informed that 89 posts (51 at Arusha and 38 at Kigali) were vacant. The Committee is of the view, as indicated in paragraph 22 above, that new posts should not be approved while the vacancy rate remains high. Accordingly, the four General Service posts should not be approved at this time. However, for reasons explained in paragraph 99 of annex II to document A/54/521, the Committee recommends approval of the P-3 post in The Hague.

56. The Advisory Committee considers that Language Services for the two Tribunals are a critical element in the efficient operation of the Trial and Appeals Chambers. It is therefore essential that the structure and organization of these services be such as to deliver optimum results. The Committee is therefore concerned about the statement that the parties to the judicial process before the International Criminal Tribunal for Rwanda do not have to adhere to any specific and/or mandatory deadlines with respect to submitting materials for processing by the Language and Conference Services Section. Furthermore, the Committee notes that cases are not ordinarily docketed primarily with the status of relevant court materials in mind. The Committee considers it essential that the effect of this situation on the efficient management of the court's activities warrants urgent attention.

57. In paragraph 105 of annex II to the report of the Secretary-General (A/54/521) six posts (1 P-1, 2 General Service and 3 Local level) are requested to strengthen the Administrative Services Section at Kigali. The Advisory Committee points out that a number of functions have been transferred from Kigali to Arusha and that a number of posts have also been redeployed to Arusha. The Committee therefore sees no justification to strengthen administration at Kigali to the extent proposed. Accordingly, the Advisory Committee recommends approval of four posts (1 P-2, 1 General Service and 2 Local level), as against the six posts requested in paragraph 105 of annex II to document

A/54/521; one General Service and one Local level post are therefore not recommended for approval.

58. With regard to other staff costs, a total of \$2,067,200 is requested in paragraph 48 of the report of the Secretary-General (A/54/521), reflecting an increase of \$267,200 over the appropriation of \$1,800,000 for 1999. The Advisory Committee notes from paragraph 48 that the bulk of the request (\$1,767,200) is for general temporary assistance for language staff with skills in Kinyarwanda and for other locally recruited staff to cover unforeseen requirements. In paragraph 55 above, the Committee has noted the high vacancy rate situation in language services at Arusha and Kigali. In the opinion of the Advisory Committee, the filling of these vacant posts should provide more capacity and reduce the need for recourse to temporary assistance for a number of objects of expenditure for which the other staff cost resources have been requested. Furthermore, the Committee was informed that the most recent projection for expenditure in 1999 shows a likely saving of \$289,239 under temporary assistance budgeted for under the Registry. Under the circumstances, the Advisory Committee recommends approval of the same amount as for 1999, namely, \$1,800,000.

59. The Advisory Committee has no objection to the request for \$203,200 for consultants requested in paragraph 49 of the report of the Secretary-General (A/54/521) and the amount of \$600,900 requested in paragraph 50 of that document for travel.

60. An amount of \$7,771,800 is requested for contractual services and the detailed explanation of the use of these resources is contained in paragraph 51 of the report of the Secretary-General (A/54/521). The amount for 2000 represents an increase of \$1,443,000 over the 1999 amount of \$6,328,000. The increase is attributable to requirements for defence counsel, which are estimated at \$6,295,800 for 2000. The balance of the \$1,476,000 is for a variety of services, including contractual security services for detainees, staff training, auto insurance and medical services.

61. The Advisory Committee has, in its previous reports, expressed concern about the increasing cost of defence counsel, the fact that the management of defence counsel activities is becoming very complex, and that it is difficult to monitor and control the related expenses. Upon enquiry, the Advisory Committee was informed that new procedures were being contemplated regarding this subject. The Advisory Committee notes that the report of the Expert Group provides additional insight in this area.

62. The Advisory Committee notes from information provided to it on the most recent projection of expenditure for 1999 that, out of the appropriation of \$6,328,800 for contractual services, an unencumbered balance of \$347,634 is projected. Accordingly, the Committee recommends that an amount of \$7.4 million should be approved for contractual services under this object of expenditure, thus reducing by \$371,800, the amount of \$7,771,800 requested in paragraph 51 of document A/54/521.

63. For general operating expenses, an amount of \$5,475,900 is requested and detailed information on the use of the resources is contained in paragraph 53 of the report of the Secretary-General (A/54/521). The estimate reflects an increase of \$1,303,600 over an appropriation of \$4,033,700 for 1999, mainly for additional space, aircraft operation and prison improvements.

64. The Advisory Committee notes from paragraph 53 (a) of the report of the Secretary-General that an amount of \$1,443,200 is proposed for rental and maintenance of premises and that it includes the amount of \$1,219,800 for the rental of space at the Arusha International Conference Centre, the seat of the Tribunal. In addition to the request for rental at the Conference Centre, an amount of \$956,000 is requested in paragraph 56 of the report for a number of purposes, including rental of additional space at the Conference Centre, construction costs at the United Nations Detention Facilities, improvements at Kigali and costs for other services. The Advisory Committee notes from paragraph 43 of document A/54/521 that the Administration continues to have difficulties in obtaining additional office space at the Conference Centre. Upon enquiry, the Committee was informed that the host Government had been addressing the space problem in consultation with officials of the Tribunal. The Advisory Committee recommends approval of \$1,443,200 for rental and maintenance of premises and the amount of \$956,000 requested in paragraph 56 of document A/54/521.

65. The Advisory Committee sought additional information with regard to the amount of \$1,806,000 requested for communication requirements (*ibid.*, para. 53 (c)), in particular for such items as satellite communications link (\$653,000), telephone and other related charges (\$572,000) and various frequency rentals and circuits (\$162,000). Upon enquiry, the Committee was informed that expenditure under this object for 1998 amounted to \$1,575,774 and that projected expenditure for 1999 is estimated at \$1,349,135.

66. The Advisory Committee notes from the report of the Secretary-General on the budget performance for 1998

(A/54/496, para. 19) that an over-expenditure is reported under communications related to the use of the United Nations telecommunication system. The Advisory Committee was informed that this over-expenditure was owing to a double billing for telephone usage. Upon enquiring about the apparent double billing, the Committee was informed that it had been anticipated that all telephone charges of the International Criminal Tribunal for Rwanda incurred under the United Nations Telecommunications System would be charged to the Tribunal at Arusha through inter-office vouchers, and an obligation document had been raised to cover the anticipated telephone charges. However, telephone charges had been directly charged to the Tribunal's account at Headquarters, resulting in a charge in New York and an obligation at Arusha for the same purpose. The Advisory Committee was informed that the obligation at Arusha had been cancelled and the related expenditure for 1998 reduced. Furthermore, the Committee was informed that the projected expenditure for communications for 1999 shows an unencumbered balance of \$191,466. Under the circumstances, the Advisory Committee recommends approval of the amount of \$1,540,600 for communications for 2000, which is the same amount as that authorized for 1999. Accordingly, the request of \$1,806,000 (see A/54/521, para. 53 (c)) is reduced by \$265,400.

67. The Advisory Committee notes from paragraph 53 (f) of the report of the Secretary-General (A/54/521) the request for \$690,000 for the hiring and operation of a Beechcraft B 200, hitherto funded from voluntary contributions from the inception of the Tribunal until the end of 1999. Upon enquiry, the Committee was informed that, while the actual amount of expenditure for the period from January 1999 to September 1999 averaged \$1,467 per month, an average of \$1,500 per month was used to calculate the amount of \$690,000. The Committee points out that air transportation is an essential operational requirement and, accordingly, endorses the proposal to charge this to the assessed budget of the Tribunal.

68. In paragraph 53 (g) of the report of the Secretary-General (A/54/521) an amount of \$250,000 is requested to provide assistance for upgrading the conditions of existing prisons and detention facilities to international standards in those countries that have concluded an agreement with the Tribunal on the enforcement of sentences. The Advisory Committee notes from the same paragraph that although it is difficult to determine the number of sentences that would be enforced during 2000, and the level of assistance that may be required by cooperating Governments, a provision for this purpose is requested. The Committee is of the opinion that, in the

absence of alternatives, this should be funded from the budget of the International Criminal Tribunal for Rwanda. Actual expenditure should be reflected in the relevant performance report.

69. The Advisory Committee requested and received information on fuel and mileage for the Tribunal's vehicle fleet. In view of unexplained fluctuations, the Advisory Committee requests strict monitoring in this area.

70. The Advisory Committee recalls that recommendation 10 contained in the independent experts' study on the Integrated Management Information System (IMIS) of July 1998 (A/53/662, para. 294) indicated that Member States should approve funding of expenditures for the development of a remote connectivity capability in IMIS to support peacekeeping operations, tribunals and the operations of other interested agencies (see also A/54/7/Add.7, annex I). Comments of the Administration indicate that progress has been slower than expected, owing to the need to devote the existing resources to other priority activities in the Department of Management and the Department of Peacekeeping Operations. The Committee regrets the lack of progress in the implementation of IMIS in the peacekeeping operations and the Tribunals and requests that the Secretary-General proceed expeditiously with the implementation of IMIS in the Tribunals and include estimates in the next budget submission in this regard.

IV. Conclusions and recommendations

71. On the basis of the comments and conclusions contained in the paragraphs above, the Advisory Committee recommends that the General Assembly appropriate to the Special Account for the International Criminal Tribunal for Rwanda, the amount of \$86,154,900 gross (\$78,170,200 net) for the period from 1 January to 31 December 2000. This would represent a reduction of \$1,664,500 gross (\$1,583,700 net) the estimate of \$87,819,400 gross (\$79,753,900 net), as indicated in paragraph 10 above.

Conditions of service for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

72. In his report on the above-mentioned subject, the Secretary-General proposes two options for consideration concerning the establishment of a survivors' benefit for the survivors of the judges of the International Tribunal for the

Former Yugoslavia and the International Criminal Tribunal for Rwanda (see A/C.5/54/30, para. 15).

73. Under option 1, in the event of a death of a judge of the Tribunal, survivors are compensated in the form of a lump-sum payment equivalent to one month of base salary for each year of service, subject to a minimum of one month and a maximum of four months.

74. In option 2, in the event of a death of a judge of the Tribunal, survivors are compensated in the form of a lump-sum payment equivalent to one month of base salary for each year of service, subject to a minimum of three months and a maximum of four months. The Committee requested information on the financial implications of each option but did not receive a complete analysis by the time the present report was finalized.

75. Under the circumstances, with regard to the survivors' benefits for the survivors of the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, the Advisory Committee recommends option 1, that is, lump-sum payment equivalent to one month of base salary for each year of service, subject to a minimum of one month and a maximum of four months. The Committee also recommends that financial implications be worked out, using new base salary rates, and that they be provided to the Fifth Committee.

Annex

Travel of judges and associate legal assistants of the International Criminal Tribunal for Rwanda to seminars and international meetings

1. During 1999, the following travel was undertaken by the judges and their associate legal assistants in connection with attending seminars and international meetings:

<i>Number of persons</i>	<i>Meetings attended</i>	<i>Date</i>
1 legal assistant	International Association of Penal Law, Paris	5-8 June 1999
1 judge	12th Commonwealth Law Conference, Kuala Lumpur	11-19 September 1999
1 legal assistant	International Criminal Jurisdiction Conference, Gaborone	13-23 October 1999

2. The following are the seminars and international meetings for 2000 in which the judges and their legal assistants of the Tribunal are likely to participate:

- (a) International Institute of Higher Studies in Criminal Sciences, Seracusa, Italy;
- (b) International Bar Summit in London;
- (c) International Bar Association annual meetings.



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Agenda item 143

**Financing of the International Criminal Tribunal for the Prosecution of
Persons Responsible for Genocide and Other Serious Violations of
International Humanitarian Law Committed in the Territory of Rwanda
and Rwandan Citizens Responsible for Genocide and Other Such
Violations Committed in the Territory of Neighbouring States between
1 January and 31 December 1994**

Proposed requirements for the International Criminal Tribunal for Rwanda for 2000

**Report of the Advisory Committee on Administrative and
Budgetary Questions**

Addendum



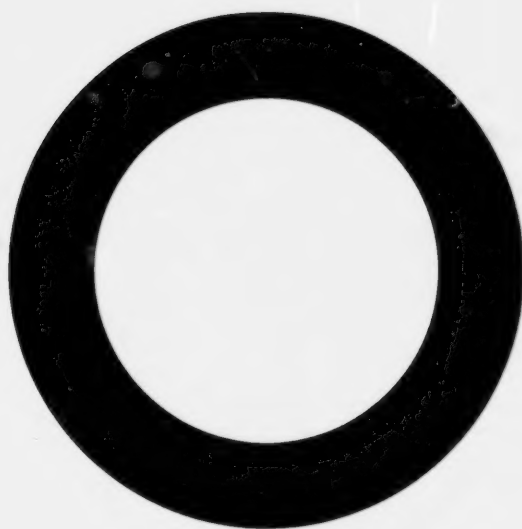
International Criminal Tribunal for Rwanda: summary of post reductions recommended by the Advisory Committee

<i>Organizational unit</i>	<i>Posts</i>	<i>Paragraph number (A/54/646)</i>
Registry Office of the Registrar	1 General Service	37
Office of the Deputy Registrar	1 General Service	38
General Legal Services Section	1 General Service	40
Court Management Section	2 General Service	41
Lawyers and Detention Facilities Management Section	1 Local Level	43
Legal Library and Reference Unit	2 General Service	44
Personnel Section	1 General Service	47
Finance Section	2 Local Level	48
Electronic Data Processing/Integrated Management Information System Unit	2 General Service and 1 Local Level	51
Security Service, Arusha	1 P-2 and 1 Local Level	54
Language and Conference Services Section	4 General Service	55
Administrative Services Section, Kigali	1 General Service and 1 Local Level	57

A total of 22 posts (1 P-2, 15 General Service and 6 Local Level) are not recommended for approval for 2000

Other reductions recommended by the Advisory Committee

	<i>\$</i>	<i>Paragraph number</i>
<i>Chambers</i>		
Travel	24 000	28
<i>Registry</i>		
General temporary assistance	267 200	58
Contractual services	371 800	62
Communications	265 400	66





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Financing of the United Nations Observer Mission in Sierra Leone

Financing of the United Nations Mission in Sierra Leone

Financing of the United Nations Observer Mission in Sierra Leone

Financing of the United Nations Mission in Sierra Leone

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the financing of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the United Nations Mission in Sierra Leone (UNAMSIL) (A/54/633). During its consideration of the report, the Committee met with representatives of the Secretary-General who provided additional information.

2. By its resolution 1270 (1999) of 22 October 1999, the Security Council decided, *inter alia*, to establish with immediate effect UNAMSIL for an initial period of six months and that the military component of the Mission should comprise a maximum of 6,000 military personnel, including 260 military observers.

3. The Council further decided that UNAMSIL would take over the substantive civilian and military components and functions of UNOMSIL and that the mandate of UNOMSIL should terminate immediately on the establishment of UNAMSIL.

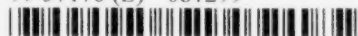
4. The Secretary-General estimates additional requirements for the establishment and maintenance of

UNAMSIL for the 1999/00 financial period at \$174,138,000 gross (\$173,257,800 net) (A/54/633, para. 2).

5. As indicated in paragraph 7 of the report of the Secretary-General, the proposed budget for the United Nations operations in Sierra Leone amounts to \$208,520,400 gross (\$206,127,900 net) and incorporates the proposed revised budget of \$34,382,400 gross (\$32,870,100 net) for the provisional expansion of UNOMSIL (see A/54/455) and the amount of \$174,138,000 gross (\$173,257,800 net) mentioned in paragraph 4 above.

6. In paragraph 22 of its report (A/54/490), the Advisory Committee recommended approval of the amount of \$34,382,400 gross (\$32,870,100 net) requested by the Secretary-General for the provisional expansion of UNOMSIL. The General Assembly has, however, taken no action on the proposed budget of UNOMSIL owing to the termination of the mandate of the Mission and pending the submission of estimates for UNAMSIL.

7. As indicated in paragraph 6 of the report of the Secretary-General (A/54/633), the total commitment authority granted by the Advisory Committee for UNOMSIL



and UNAMSIL for the current financial period amounts to \$52,971,600 gross (\$52,687,600 net). Upon enquiry, the Committee was informed that, as at 22 November 1999, expenditure for the period from 1 July to 22 November 1999 amounted to \$27,803,800 net, leaving an encumbered balance of \$24,883,800 net.

8. The Advisory Committee notes from paragraph 18 of the report of the Secretary-General (A/54/633) that the amount of \$2,142,150 has been contributed to the Trust Fund to Support United Nations Peacekeeping-related efforts in Sierra Leone and that the related expenditure amounts to \$1,130,175. In addition, the Committee notes from paragraph 28 of the report of the Secretary-General to the Security Council (S/1999/1003) that the trust fund established by the World Bank to finance the plan for the disarmament, demobilization and reintegration into society of an estimated 45,000 fighters in Sierra Leone had received approximately \$19 million in contributions.

9. With regard to staff resources, the Advisory Committee notes from the table in section A of chapter VIII of the report of the Secretary-General (A/54/633) that the proposed civilian staff establishment for UNAMSIL totals 581 posts, comprising 227 international staff (82 Professional, 26 General Service, 99 Field Service and 20 Security Service), 72 United Nations Volunteers, and 282 local staff. The Committee further notes that the grading of Professional posts puts emphasis on posts at the P-2 to P-4 levels. While the Committee welcomes the use of local staff to minimize the employment of international staff, the Committee notes that little information is given on functions for the additional 213 local staff. This information should be provided in the future.

10. Two posts at the Assistant Secretary-General level are proposed in paragraphs 27 (a) and 28 of the report of the Secretary-General (A/54/633) to accommodate the Deputy Special Representative of the Secretary-General and the Force Commander. In this connection, the Advisory Committee notes a growing trend to appoint deputy special representatives of the Secretary-General in missions. In view of the need to ensure cohesive leadership in the person of the Special Representative of the Secretary-General, the Committee requests that, before positions of deputy are proposed, all pertinent factors be taken into account and full justification be provided to the General Assembly in the context of the related estimates for the missions concerned.

11. For the Office of the Force Commander, in addition to the post of Assistant Secretary-General, six General Service posts and 14 Local level posts are proposed (A/54/633, para. 28). Upon enquiry, the Advisory Committee

was informed that the 6 General Service and 14 Local level personnel would provide support to 74 staff officers and 110 headquarters guards.

12. The Advisory Committee notes from paragraph 27 (a) of the report of the Secretary-General (A/54/633) the establishment of a P-3 post for a resident auditor within the office of the Special Representative of the Secretary-General. The Committee was informed that, after the preparation of the budget estimates, information was received from the Director of the Audit and Management Consulting Division, the Office of Internal Oversight Services, indicating that a resident auditor post at the P-4/P-3 level should be added for each \$100 million of annual budgeted expenditure and that for those missions with annual budgets exceeding \$200 million, it would be advisable to assign in addition to the resident auditors, an auditing assistant at the G-6 or G-7 level. The Committee was further informed that the Office of Programme Planning, Budget and Accounts would take account of the recommendation of the Office of Internal Oversight Services regarding resident auditors when developing detailed budget estimates for new or expanding missions, on a case-by-case basis. Accordingly, the Advisory Committee recommends that two P-4 posts be authorized for resident auditors for UNAMSIL.

13. In paragraph 30 (b) (vi) of the report of the Secretary-General (A/54/633), one P-4 post is proposed for the Regional Support Services Section. In addition, 2 General Service, 14 Field Service and 30 Local level posts are requested. The Advisory Committee requests a review to ascertain the adequacy of staff resources at the Professional level for the Regional Support Services Section.

14. The total cost for civilian staff is estimated at \$21,099,600. The Advisory Committee notes from the table in section E of chapter VIII of the report of the Secretary-General (A/54/633) that the plan is to deploy 436 staff between 1 October 1999 and 15 January 2000. In the opinion of the Committee, experience shows that such targets are rarely met. The Advisory Committee notes from paragraph 7 of section C of annex I to document A/54/633 that the cost of new international and Local level posts is based on a projected 20 per cent vacancy rate as against the projected vacancy rate of 10 per cent in connection with the provisional expansion of UNOMSIL (A/54/490, para. 13) and that salary and common staff cost adjustments are based on 70 per cent of international staff classified as mission appointees.

15. For military personnel, the amount of \$115,198,600, or 55 per cent of \$208,520,400, is requested and explained

in paragraphs 1 to 4 of section C of annex I to the report of the Secretary-General (A/54/633).

16. Upon enquiry as to the deployment of military personnel, the Advisory Committee was informed that two battalions from two contingents are to be deployed by 1 December 1999. The Committee was also informed that, although troop cost assumes the transfer of four battalions of the Military Observer Group (ECOMOG) of the Economic Community of West African States under United Nations command, effective 1 December 1999, no definitive information was available as to when the transfer would be effected. The Committee was also informed that the estimates were prepared on the assumption that all military personnel (5,740 contingents and 260 observers) would be deployed as follows: 3,569 expected by 1 December 1999, 4,709 by 16 December 1999 and the balance of the troops by 1 January 2000.

17. With regard to the calculation of military costs, the Advisory Committee notes from paragraph 3 of annex I, section C of the report of the Secretary-General (A/54/633) that the estimate of \$39,160,600 for the reimbursement of troop cost was based on standard rates. The Committee further notes from paragraph 4 of section C that reimbursement for major equipment (\$12,379,900) was based on wet-lease arrangements. The amount for self-sustainment (\$15,332,000) was also based on standard self-sustainment rates. The Committee notes that the amount of \$15,559,100 for self-sustainment shown in paragraph 23 of document A/54/633, includes the amount of \$226,800 requested in paragraph 16 of section C of annex I to the report of the Secretary-General (A/54/455) for the cost of reimbursement for medical treatment and services provided to international personnel.

18. As indicated in the report of the Secretary-General (A/54/633, annex I, sect. C, para. 22), the amount of \$20,176,000 is requested to transport contingent-owned equipment. The Advisory Committee notes that this amount is based on the cost of transportation of an estimated 44,500 cubic metres of contingent-owned equipment in 61 flights (\$19,846,000) and the cost of inland transportation (\$330,000). Upon inquiry, the Committee was informed that the equipment related to three contingents. From the statements of representatives of the Secretary-General, the Committee has concluded that the quantity of material to be airlifted and the costs involved are not based on a firm estimate of what would be required.

19. The Advisory Committee notes from paragraph 19 of the report of the Secretary-General (A/54/633) that, at the time of the preparation of the report, negotiations were

continuing with Governments for the provision of troops and associated equipment. The amount of \$20,176,000 relating to the transportation of contingent-owned equipment is therefore not based on agreements with troop-contributing countries. The Advisory Committee is aware that the deployment of troops will be facilitated by the presence of ECOMOG in the area of operation.

20. In connection with air operations, the Advisory Committee notes from the report of the Secretary-General (A/54/633, annex I, sect. C, para. 16) that the current fleet of two medium-utility helicopters and one light passenger Beechcraft (B-200) fixed-wing aircraft is to be augmented by 12 helicopters and 2 fixed-wing aircraft, one of which would be required for three months. The Committee was informed that the fixed-wing aircraft required for three months would be used for the inland transportation of heavy equipment. The Committee notes from paragraph 17 of section C of annex I to document A/54/633 that two heavy-lift helicopters would be used to support forces deployed to locations in the east of the country, which lack airstrips to accommodate fixed-wing aircraft. The Committee was informed that the high rate of use of air transportation was due to the short time-frame for emplacement of troops and equipment. The Committee requests that, in future, this need be spelled out more clearly in the budget document.

21. The Advisory Committee notes from the table in section A of annex II to document A/54/633 that the projected monthly cost for block hours for the use of S-61N helicopters amounts to \$242,000 for each helicopter. The Committee notes that this amount is projected and not based on any agreement with the supplier of the aircraft. The Committee requests a review to ascertain whether the required service could be provided at a lower cost.

22. Upon enquiry, the Advisory Committee was informed that the total hours budgeted for helicopters and fixed-wing aircraft were 4,620 and 830, respectively. In the opinion of the Advisory Committee, experience has shown that the estimated hours are not always fully used. Accordingly, there is room for adjustment of the total request of \$18,912,000 for air operations.

23. As regards data-processing equipment, upon enquiry, the Advisory Committee was informed that the mission required 428 desktop computers, as follows: 52 for 240 military observers (a ratio of 20 per cent); 50 for 74 staff officers (a ratio of 67 per cent); one for 6 civilian police (a ratio of 20 per cent); 82 for 82 Professional staff (a ratio of 100 per cent); 23 for 26 General Service staff (a ratio of 90 per cent); 34 for 99 Field Service staff (a ratio of 33 per cent); 6 for 20 security officers (a ratio of 33 per cent); 14

for United Nations Volunteers (a ratio of 10 per cent); 28 for 282 local staff (a ratio of 10 per cent); 58 as reserve stock; and 80 for the Military Force and sector headquarters.

24. In connection with demining programmes, the Advisory Committee was informed that the Mine Action Service of the Department of Peacekeeping Operations was yet to undertake a technical assessment of programme requirements in Sierra Leone. Therefore, no provision had been made in the proposed budget for demining activities.

25. The actions to be taken by the General Assembly at its fifty-fourth session in connection with the financing of UNAMSIL are outlined in paragraph 9 of the report of the Secretary-General (A/54/633). Taking into account the comments and observations made above, the Advisory Committee recommends that the General Assembly appropriate and assess the amount of \$200 million gross for the maintenance and provisional expansion of UNOMSIL and the establishment and maintenance of UNAMSIL for the period from 1 July 1999 to 30 June 2000.
